

Notice of Meeting:

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

Date: Friday 4 June 2021
Time: 9:30am
Meeting Room: Kauri Room and Audio Visual link
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Dog Control Hearings Panel OPEN AGENDA

Membership

Chairperson Cr Ewan Wilson
Heamana

Members Cr Maxine van Oosten
Cr Angela O'Leary (Alternate)
Cr Rob Pascoe (Alternate)
Vacancy

Quorum: Three members

Meeting Frequency: As required

Becca Brooke
Governance Manager
Menetia Mana Whakahaere

12 May 2021

Telephone: 07 838 6727
Becca.Brooke@hcc.govt.nz
www.hamilton.govt.nz

Purpose

The Dog Control Hearings Panel is responsible for:

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

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

Terms of Reference:

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

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1 Apologies – *Tono aroha*

2 Confirmation of Agenda – *Whakatau raarangi take*

The Committee to confirm the agenda.

3 Declaration of Interest – *Tauaakii whaipaaanga*

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

Council Report

Item 4

Committee: Dog Control Hearings Panel **Date:** 31 May 2021
Author: Tyler Gaukrodger **Authoriser:** Becca Brooke
Position: Governance Advisor **Position:** Governance Manager
Report Name: Confirmation of the Dog Control Hearings Panel Open Minutes 14 December 2020

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

That the Dog Control Hearings Panel confirm the Open Minutes of the Dog Control Hearings Panel Meeting held on 14 December 2020 as a true and correct record.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Dog Control Hearings Panel Unconfirmed Open Minutes - 14 December 2020

Dog Control Hearings Panel OPEN MINUTES

Minutes of a meeting of the Dog Control Hearings Panel held in Committee Room One, Municipal Building, Garden Place, Hamilton and via Audio Visual link on Monday 14 December 2020 at 10.00am.

PRESENT

Chairperson Cr Ewan Wilson (via Audio Visual link)

Heamana

Members Cr Maxine van Oosten
Cr Rob Pascoe

In Attendance: Kelvin Powell - City Safe Unit Manager
Susan Stanford – Animal Control Manager
Peter Crocker – Animal Control Team Leader
Justin Harden - Animal Education and Control officer

Governance Team: Amy Viggers – Governance Team Leader
Tyler Gaukrodger – Governance Advisor

1. Apologies – *Tono aroha*

Resolved: (Cr Wilson/Cr van Oosten)
That the apologies for absence from Cr Forsyth are accepted.

2. Confirmation of Agenda – *Whakatau raarangi take*

Resolved: (Cr Wilson/Cr van Oosten)
That the Agenda is confirmed.

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 1 September 2020

Resolved: (Cr Wilson/Cr Pascoe)

That the Panel confirm the Open Minutes of the Dog Control Hearings Panel Meeting held on 1 September 2020 as a true and correct record.

5. Objection to menacing classification - Terry Stephens

Terry Stephens spoke to the report in opposition of the menacing classification of Fletcher. He responded to questions from Members concerning adoption, training, rehabilitation, dog day care, the dog park, the incident, dog free zones, contact with the victim, social media and contact with Council.

The City Safe Unit Manager, Animal Control Team Leader and Animal Education and Control officer outlined the report, the incident and their recommendation. They responded to questions from Members concerning the timeline, the incident, victim and objectors statements, dog restrictions in the park, previous dog complaints, dog control interactions with objectors, injuries and social media.

6. 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 1 September 2020) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987.)	Section 48(1)(a)
C2. Objection to menacing classification – Terry Stephens Deliberations) To maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment.)	Section 7(2)(f)

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

- Item C1. to prevent the disclosure or use of official information for improper gain or improper advantage Section 7 (2) (j)

The meeting went into a public excluded session at 10:49am

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

Item C2: Objection to menacing classification - Terry Stephens

That the Dog Control Hearings Panel:

- receives the report;
- determines that the classification of Fletcher as a menacing dog is upheld; and
- approves the above decision be released to the public via these open minutes of this meeting.

The meeting was declared closed at 11:13am.

Council Report

Committee: Dog Control Hearings Panel **Date:** 31 May 2021
Author: Susan Stanford **Authoriser:** Kelvin Powell
Position: Animal Control Manager **Position:** City Safe Unit Manager
Report Name: Objection to menacing classification - Timi Tapara

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

1. To seek a determination from the Dog Control Hearings Panel on the classification of Ka Maia and Marama as menacing dogs.

Staff Recommendation - *Tuutohu-aa-kaimahi*

2. That the Dog Control Hearings Panel:
 - a) receives the report; and
 - b) determines that the classification of Ka Maia and Marama as menacing dogs is upheld.

Executive Summary - *Whakaraapopototanga matua*

3. Ka Maia is a female Siberian Husky, brown and white in colour, who is approximately five years of age. Marama is a female Siberian Husky, white in colour and approximately one year old.
4. On 23 February 2021 at 4.30pm, it was reported to Council's Animal Education and Control Unit (Animal Control) that Ka Maia and Marama had been caught mauling a cat on Lachlan Drive.
5. Section 33A of the Dog Control Act 1996 sets out the circumstances in which a territorial authority may classify a dog as menacing. Section 33B outlines a dog owner's right to object to that classification.
6. As a result of the attack, Ka Maia and Marama were classified as menacing for behaviour. The dog owners subsequently objected to the classification.
7. Staff recommend that the classification of Ka Maia and Marama as menacing dogs is upheld (**Option A**) as detailed in paragraphs below.
8. Staff consider the decision in this report has low significance and that the recommendations comply with the Council's legal requirements.

Background - *Kooreo whaimaarama*

9. On 23 February 2021 at 4.30pm a dog attack, involving two Huskies "mauling" a cat, was reported to Animal Control and was assigned to Officer D24 to investigate (CRM218978/2021 – **Attachment 1**).

10. On 23 February 2021 at approximately 4.15pm the complainant ('SB') heard strange noises coming from the street. SB, her flatmate, and flatmate's partner went out on the balcony to see what was making the noise. SB's flatmate's partner could see over the bushes/trees that two Huskies were attacking a cat in the street.
11. They went out to stop the attack, both dogs each had an end of the cat in their mouths. SB's flatmate and partner approached the dogs, waving their arms and giving commands for the dogs to drop the cat. The dogs dropped the cat and calmly stood around it.
12. Both dogs had collars and registration tags on.
13. Another neighbour came out, as she had heard the noise. She knew the cat owner (who was not home at the time) so took the cat, intending to take it to the vet.
14. SB's flatmate and partner held the dogs, who were calm and well behaved, while SB called Animal Control.
15. The cat owner arrived home and SB, the flatmate and partner explained what had happened. As SB took him to find the neighbour who had taken the cat, she arrived back with the cat in a carrier. The cat had died before the neighbour could get it to the vet. The cat owner was very upset.
16. The female dog owner arrived; she was grateful the dogs had been found but became worried when she saw blood on their faces. SB explained what had happened. The dog owner waited with SB, the flatmate and partner for Animal Control. While they waited, the dogs' owner explained that their house had been broken into and their children had disturbed the person/s who ran off and left the gate open, allowing the dogs to get out.
17. The cat owner came out; he was visibly upset and confronted the dog owner. The dog owner listened patiently, allowing the cat owner to say his piece, after which he went back inside. The male dog owner arrived shortly after and the group waited for Animal Control.
18. Animal Control arrived at approximately 4.40pm. Officer D24 spoke with the dog owners and seized both dogs, while officer D41 went and spoke with the cat owner. Officer D24 arranged for statements and reports to be provided.
19. For full investigation notes and witness statements see CRM218978/2021 (**Attachment 1**).
20. As a result of this attack, infringements 12389 and 12390 were issued to the dog owners and Ka Maia and Marama were classified as menacing for behaviour (**Attachment 2** – menacing classification documentation).
21. On 16 March 2021, an objection to the classification of the dogs Ka Maia and Marama as menacing was received from Timi Tapara and Danielle Paenga, the registered dog owners (**Attachment 3** – objection and correspondence received).
22. The dog owners object to the classification of menacing on the following grounds:
 - i. They are good dog owners. They regularly exercise their dogs and when at home the dogs are contained in a fenced yard.
 - ii. The dogs were let out by intruders who were disturbed by their children.
 - iii. The dogs are not aggressive towards people.
 - iv. The dog owner has provided numerous letters and emails that attest to their good dog ownership (**Attachment 4**).

Discussion - *Matapaki*

23. In coming to their decision, panel members should consider:
 - i. the incident that formed the basis for the classification
 - ii. the number and type of incidents that have occurred

- iii. any escalation in behaviour demonstrated by the dog
 - iv. the potential impact to public safety.
- 24. The basis for the menacing classification of Ka Maia and Marama is not that the dog owners are bad owners. This is a situation based around the 'prey drive' of the dogs involved and the propensity for them to chase and kill small feathered or furry animals if they are not in direct control of their owners.
- 25. Prey drive in dogs does not equal aggression. Aggression is a response driven by heightened emotions in the dog, e.g. fear or territorial guarding. Prey drive is an instinct found in all dogs to a lesser or greater extent.
- 26. Siberian Huskies are noted for having a high prey drive. They are also described as 'high energy' dogs that can be 'escape artists'. They are very intelligent and sociable dogs that – due to their sociable nature – do not make good guard dogs.
- 27. The complainants who stopped the dogs mauling the cat and the supporting information provided by the dog owners all say the dogs were friendly and responsive to people, which is typical of the Husky nature. That the dogs responded positively to people and released the cat is also an indication that the attack was motivated by opportunistic prey drive rather than aggression.
- 28. The dog owners clearly take steps to contain their dogs and provide them with enough exercise and stimulation. However, this does not remove the dogs' natural instincts and prey drive, and on two occasions when their dogs have been out without them, it has resulted in the death of other animals, the cat involved in this attack and 6 chickens in 2019 (see Animal histories – **Attachment 5**).
- 29. A set of links to articles on Siberian Huskies and prey drive has been included to assist panel member understand prey drive and breed traits, independent further reading is recommended (see **Attachment 6**).

Options

- 30. 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:
 - Option A:** To uphold the classification, or
 - Option B:** To overturn the classification.
- 31. Staff recommend **Option A** because the best way to minimise the risk to cats and other small animals is for Ka Maia and Marama to be muzzled in public.

Financial Considerations - *Whaiwhakaaro Puutea*

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

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

- 33. [Section 33A](#) of the Dog Control Act 1996 sets out the circumstances in which a territorial authority may classify a dog as menacing:

This section applies to a dog that –

- a) has not been classified as a dangerous dog under [section 31](#); but*
- b) a territorial authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of –*
 - (i) any observed or reported behaviour of the dog; or*
 - (ii) any characteristics typically associated with the dog's breed or type.*

34. [Section 33B](#) outlines a dog owner's right to object to the classification to the territorial authority and the territorial authority's obligations and considerations in respect to hearing the objection.
35. Staff confirm that the classification of menacing and options provided for the Dog Control Hearings Panel comply with the Council's legal requirements under the Dog Control Act 1996.

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

36. The purpose of Local Government changed on 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 keeping 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, haapu, and communities should be safe from dangerous animals.

Risks - *Tuuraru*

39. The greatest risk these dogs pose is to cats and other small animals, should they be at large not under the direct control of their owners.

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

Significance

40. 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.

Engagement

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

Attachments

Attachment 1 - CRM-218978

Attachment 2 - Menacing classification documentation

Attachment 3 - Correspondence and objection received

Attachment 4 - Letters of support

Attachment 5 - Animal histories

Attachment 6 - Article links

Animal Complaint Record 218978/2021

COMPLAINANT

Complaint Received	2/23/2021 4:30:00 PM	Officer	D24
Name		Home Phone 1	
Address		Home Phone 2	
		Mob Phone	

PROPERTY

Property Address	Lachlan Dinsdale 2001	RD LACHLAND	Safety Alert		
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ANIMAL DETAILS

Animal Number	229257	Animal Name		Tattoo	953010000230969
Animal Location		Color	BLK /WHI	Sex	M
Owner Address		Owner Name		NAR No.	1097985
Animal Number	232820	Animal Name	Ka Maia	Tattoo	953010001044542
Animal Location		Color	BRO /WHI	Sex	F
Owner Address		Owner Name	Timi	NAR No.	1097985
Animal Number	239553	Animal Name	Marama	Tattoo	934000090245015
Animal Location		Color		Sex	F
Owner Address		Owner Name	Timi	NAR No.	1097985

REQUEST DETAILS

Offence Date		Two dogs have been caught, mauling a cat on Lachlan drive, one neighbour has rushed cat to vets, cat owner not home, comp has the two dogs on the side of the road. Given tag numbers 2940 and 7516.
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	D24	230221 @ 1637 - Called to location along Lachlan Drive, Dinsdale. Upon arrival, sighted the two offending dogs being held on leash by the complainant/MOP. Also discovered the dog owners had arrived on scene. Both dogs were seized and placed in AECU vehicle. Both dogs were scanned and photographed - refer attached - Seizure notice given to the dog owners. Note - An explanation was given to 'why' both dogs were being seized. Also note that the male dog owner accused me of being 'too calm' in a stressful situation. While I returned to the AECU with both seized dogs, D41 - took photos of the deceased cat which was at a neighbouring property. The dog owners stated that their home had been burgled and their gate was left open hence their dogs got out. Also note I advised dog owners
Start Date	2/23/2021 4:30:00 PM	
Finish Date	3/5/2021 3:41:00 PM	
Outcome	Animals - Seized	
Task	Investigation	

to report this to the police and obtain a police report and provide us with a copy of it.

1756 - Phoned the complainant who advised she will provide a formal written statement and check upon whether her flatmates will. 240221 @ 1231 - Received comp's emailed statement. Refer attached copy.

1533 - Received emailed copy of dog owner's police report as per burglary complaint to NZ Police - refer attached.

250221 @ 0842 - Received emailed advice from the complainant Sarah advising that her flatmates are unwilling to provide formal statements. 260221 @ 1355 - Called to 40 Lachlan Dr. Spoke to [redacted] - owner of the deceased cat - Snaggles, 3yo.

Advised [redacted] of all the relevant outcomes. [redacted] intends to seek information from the AECU relative to this 'attack file' Informed that he will need to make application under the official information act through the AECU unit manager. Have provided [redacted] with Sue's (Unit Manager) work email address accordingly. NFA required.

Outcomes: [redacted] Cat deceased prior to reaching vets, Seized both dogs under s57, impounded.

KA MAIA - K31, KR48291. Inf number 12389 - To be classified as menacing MARAMA - K32, KR48292. Inf number 12390 - To be classified as menacing (Abbey Hunter - 05/03/2021)

Previous Complaints for Dog

CRM No.	169968/2018	Task	2INV
Animal	229257	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D24
Min Cat.	Dogs - Offences (heading only)	Opened	9/4/2018 9:45:00 AM
Cat 3	Dogs - Roaming (heading only)	Closed	9/5/2018 2:23:00 PM
Cat 4	Dogs - Roaming - Public Place		
CRM No.	185416/2019	Task	2INV
Animal	229257	Outcome	SEIZ
Maj Cat.	Animal Control (heading only)	Officer	D24
Min Cat.	Dogs - Offences (heading only)	Opened	9/27/2019 2:45:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	10/25/2019 12:14:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Urgent		
CRM No.	185416/2019	Task	2INV
Animal	232820	Outcome	SEIZ
Maj Cat.	Animal Control	Officer	D24

	(heading only)		
Min Cat.	Dogs - Offences (heading only)	Opened	9/27/2019 2:45:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	10/25/2019 12:14:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Urgent		
CRM No.	218978/2021	Task	2INV
Animal	229257	Outcome	SEIZ
Maj Cat.	Animal Control (heading only)	Officer	D24
Min Cat.	Dogs - Offences (heading only)	Opened	2/23/2021 4:30:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	3/5/2021 3:41:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Urgent		
CRM No.	218978/2021	Task	2INV
Animal	232820	Outcome	SEIZ
Maj Cat.	Animal Control (heading only)	Officer	D24
Min Cat.	Dogs - Offences (heading only)	Opened	2/23/2021 4:30:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	3/5/2021 3:41:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Urgent		
CRM No.	218978/2021	Task	2INV
Animal	239553	Outcome	SEIZ
Maj Cat.	Animal Control (heading only)	Officer	D24
Min Cat.	Dogs - Offences (heading only)	Opened	2/23/2021 4:30:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	3/5/2021 3:41:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Urgent		
CRM No.	220660/2021	Task	OFCE
Animal	232820	Outcome	
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	3/10/2021 1:25:21 PM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	
Cat 4	Dogs - Officer - Serve Dog Classification		
CRM No.	220660/2021	Task	2INV
Animal	232820	Outcome	MENC
Maj Cat.	Animal Control	Officer	D24

	(heading only)		
Min Cat.	Dogs - Offences (heading only)	Opened	3/9/2021 3:09:00 PM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	3/10/2021 1:25:23 PM
Cat 4	Dogs - Officer - Serve Dog Classification		
CRM No.	220660/2021	Task	OFCE
Animal	239553	Outcome	
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	3/10/2021 1:25:21 PM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	
Cat 4	Dogs - Officer - Serve Dog Classification		
CRM No.	220660/2021	Task	2INV
Animal	239553	Outcome	MENC
Maj Cat.	Animal Control (heading only)	Officer	D24
Min Cat.	Dogs - Offences (heading only)	Opened	3/9/2021 3:09:00 PM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	3/10/2021 1:25:23 PM
Cat 4	Dogs - Officer - Serve Dog Classification		

Item 5

Attachment 1

Warwick

From: Hamilton City Council <PROD.Authority@hcc.govt.nz>
 Sent: Tuesday, 23 February 2021 16:36
 To: Animal care
 Cc: Customer Service
 Subject: New Animal CRM Task 218978/2021 - Dogs - Attack - Dog v Animal - Urgent

(IN 12389) "KA MAIA" K31 / KR 48291

A new CRM task has been created for you to action.

Request Details:

(IN 12390) "MARAMA" K32 / KR 48292

Action officer: Warwick

Request Number: 218978/2021

Description: Two dogs have been caught, mauling a cat on Lachlan drive, one neighbour has rushed cat to vets, cat owner not home, comp has the two dogs on the side of the road. Given tag numbers 2940 and 7516.

Due Date: 08/03/2021

Safety Issues: N/A

Safety Issues: N/A

[Access your Tasks Here](#)

Customer Details

Contact Name:
 Contact Address:
 Contact Home Phone:
 Contact Mobile:
 Contact Email Address

*Outcomes:

- Seized both dogs (SS) + impounded. Note cat died prior to reaching the vets!
- Both these dogs to be classified as Menacing (upon reported behaviour).
- Infringement Notices (SS) x2 of, issued to D/O's.
- Advised (via phone/Lam)!!

Property Address: Lachlan Drive Hamilton Dinsdale 3204

Street Name:

*MEMO's added to Kennel Register!

Category: Dogs - Attack - Dog v Animal - Urgent

23/2/21 (4-87am). Called to location along Lachlan Drive. Upon arrival, sighted the two offending dogs being held on-leash by the complainant / mop! Also discovered the D/O's had arrived on-scene. Both dogs were seized + placed in the AECU vehicle. Both dogs were scanned + photographed (refer attached). Seizure notice given to the D/O's. Note an explanation was given to 'why' both dogs were being seized. Also note the male D/O accused me of being 'too calm' (in this very stressful situation)! While I returned to the AECU with both seized dogs, Robbie (D41) took photo of the deceased cat (which was at a neighbouring property). Note the D/O's stated that their home had been burgled + [D44/D41] their gate was left open (hence their dogs got out). Also note I advised D/O's to report this to the police + I will a police report (+ provide us with a copy of it)!

cont: (8-36am). Phoned the complainant, who advised she will provide a formal written statement, (+ 'check' upon whether her flatmates will).
 24/2/21 (12-31am). Received comp's emailed statement. Refer attached copy!

(3-33pm). Received emailed copy of D/O's Police Report (as per their burglary complaint to NZ Police)! Refer attached copy.

25/2/21 (8-42am). Received emailed advice from the complainant (), advising that her flatmates are unwilling to provide formal statements!

26/2/21 (1-55pm). Called to Lashlan Drive. Spoke to (mobile), owner of the deceased cat (named SNAGGLES, aged 3 years old). Advised of all relevant outcomes. Note intends to seek information from the AECU, relative to this 'attack file'. Informed that he will need to make application (under the Official Information Act), through the AECU Unit Manager. Note have provided with Sue's (UM) work email address accordingly. NFA required!

* Received deceased cat photos from Robbie (D41), that he had taken as at 23/2/21!

* Note Danielle (co-owner), advised verbally by Haley (Admin, of relevant outcomes (as per kernel Register MEMO's)!

e_an005 - Animals Enquiry - Hamilton_LIVE - 32792 - 7.0

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Document

Animal Type Dogs Number

MicroChip Brand MICROCHIP Id

Alpha Key

Assessment Parcel

Owner

House Number

Street Name

Suburb Name

Owner Details

Name

Address

Mobile Phone

Home Phone

Business Phone

e-Mail Address

Animal Details

Kept at Address

OutsideTag Ref

Animal Name

Breed

Main Colour

Birth Age Years Months

Features

Dangerous Agency

Neutered Gender

Cross

Second

Death

Permit Number

Registration Details

Tag Number Tag Set

eTran Recpt Date Reg Till

By Law Code Search

Code Type Code Value

K31
KR 48291

i_me002 - Memos - Hamilton_LIVE - 20420 - 7.0

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Document **Browse**

Memo

Module DD Application & Registers

Account 100.2021.00048292.001

Kennel Register

Seized this dog from D/O's along Lachl
Lachlan Drive Dinsdale Hamilton 3204

Type 1 Kennel Register General Remarks

Number 1

Date 23/02/2021

Start Date 23/02/2021 End Date

Text

Note that this dog to remain in custody until further notice!

Note no microchip found!

24/2/21

Note that this dog can now be released (upon payment of all relevant fees)!

Note that this dog will be classified as Menacing & a \$200 infringement notice will be issued!

Created 2021-02-23 17:34:14 Modified 2021-02-24 09:48:47 Operator 1339 Warwick

OVR

Item 5

Attachment 1

e_an005 - Animals Enquiry - Hamilton LIVE - 32792 - 7.0

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1 of 1

K32
KR 48292

Document

Animal Type	1 Dogs	Number	239553
MicroChip Brand		Id	934000090245015
Alpha Key	T		
Assessment	24479	Parcel	4386981
Owner	1097985		
House Number			
Street Name	Glendale		
Suburb Name	Dinsdale	3204	

Owner Details

Name Timi Danielle

Address Glendale Drive
Dinsdale
Hamilton 3204

Mobile Phone

Home Phone

Business Phone

e-Mail Address

Animal Details

Kept at Address

OutsideTag

Ref

Dangerous NA

Agency

Animal Name Marama

Neutered N

Gender Female

Breed SIBE Siberian Husky

Cross

Main Colour WHI White

Second

Birth 22/05/2020

Age 0 Years 9 Months

Death

Depart

Features

Permit Number

Registration Details

Tag Number 2940

Tag Set 2020/21

eTran

Recpt Date 22/08/2020

Reg Till 30/06/2021

By Law Code Search

Code Type

Code Value

** No microchip found!*

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Document

Memo

Module DD Application & Registers

Account 100.2021.00048291.001

Kennel Register

Seized this dog from D/O's along Lachl
Lachlan Drive Dinsdale Hamilton 3204

Type 1 Kennel Register General Remarks

Number 1

Date 23/02/2021

Start Date 23/02/2021 End Date

Text

Note that this dog to remain in custody until further notice!

24/2/21
Note that this dog can now be released (upon payment of all relevant fees)!

Note that this dog will be classified as Menacing & a \$200 infringement notice issued!

Created 2021-02-23 17:29:28 Modified 2021-02-24 09:47:06 Operator 1339 Warwick

OVR

Item 5

Attachment 1

e_nr001 - Name And Address Enquiry Access - Hamilton_LIVE - 7388 - 7.0

Document Edit Name and Address Help

OK Cancel Cut Copy Paste Find Excel Help Memos Attachments

2 of 2

Main Details Further Details Browse

<p>Timi</p> <p>Hamilton</p>	<p>Related Accounts * 6</p> <p>Debit Balance \$ 0.00</p> <p>Credit Balance \$ 0.00</p> <p>Unposted Receipts \$ 0.00</p> <p>Net Balance \$ 0.00</p>
-----------------------------	--

Alpha Key	T	Name Number	1097985	Title	NA	Individual
Company Name						
Surname						
Given Names	Timi					
Familiar Name			Initials	T		
Gender	Not Applicable		Marriage Status	N Not Applicable		
Date of Birth	18/04/	Age	30	Date of Death		

Created 2016-02-16 15:36:01 Modified 2020-09-04 13:57:27 Operator 642 Rachel

e_nr001 - Name And Address Enquiry Access - Hamilton_LIVE - 7388 - 7.0

Document Edit Name and Address Help

OK Cancel Cut Copy Paste Find Excel Help Memos Attachments

1 of 2

Main Details Further Details Browse

Danielle	Related Accounts	*	5
	Debit Balance	\$	0.00
	Credit Balance	\$	0.00
	Unposted Receipts	\$	0.00
	Net Balance	\$	0.00

Hamilton

Alpha Key	D	Name Number	1132146	Title	NA	Individual
Company Name						
Surname						
Given Names	Danielle					
Familiar Name	Initials D					
Gender	Not Applicable		Marriage Status	N Not Applicable		
Date of Birth	05/07/	Age	25	Date of Death		

Created 2018-07-31 08:47:42 Modified 2020-11-30 10:03:43 Operator 1352 Amanda

Item 5

Attachment 1

COPY

Animals Enquiry - Hamilton LIVE - 29708

5 rows selected

Other Links

Link Type	Link Description	Link Direction	Destination Module	Destination Account	Destination Account Description 1	Destination Account Description 2	Source Module	Source Account	Source Account Description
14	Companion Animals to Rabies	Forward Link	RT	24479			AN	232820	Dogs - K9 Mals
1010	Kennel Register to Companion Animal	Reverse Link	DO	100.2019.00047064.001	Kennel Register	Selected this dog (\$57) from comp's address.	AN	232820	Dogs - K9 Mals
1010	Kennel Register to Companion Animal	Reverse Link	DO	100.2021.00048291.001	Kennel Register	Cancelled this dog from comp's address	AN	232820	Dogs - K9 Mals
2010	CAR to Companion Animals	Reverse Link	DO	002.2019.00185416.001	Customer Request		AN	232820	Dogs - K9 Mals
2010	CAR to Companion Animals	Reverse Link	DO	002.2021.00218978.001	Customer Request	two dogs have been caught, waiting a call on	AN	232820	Dogs - K9 Mals



NOTICE OF SEIZURE AND REMOVAL OF DOG

To: Dog Owner(s) / Person(s) in charge Offence Date: 22/2/21
 Of: Glendale Drive Hamilton Our Ref: 213478/2021
 Dog/s: crack + white / female / Siberian Husky / named PA MISA
white / female / Siberian Husky / named MARISSA

This is to notify you that the above dog/s have been seized and removed from this address under Section 57(5) of The Dog Control Act 1996.

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

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

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

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

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

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

[Signature]
Signature of Dog Control Officer

22/2/21 / 4:50pm
Date/Time of Service

AC/F17
Version 5
22.10.2014

Animal Education & Control



Item 5

Attachment 1



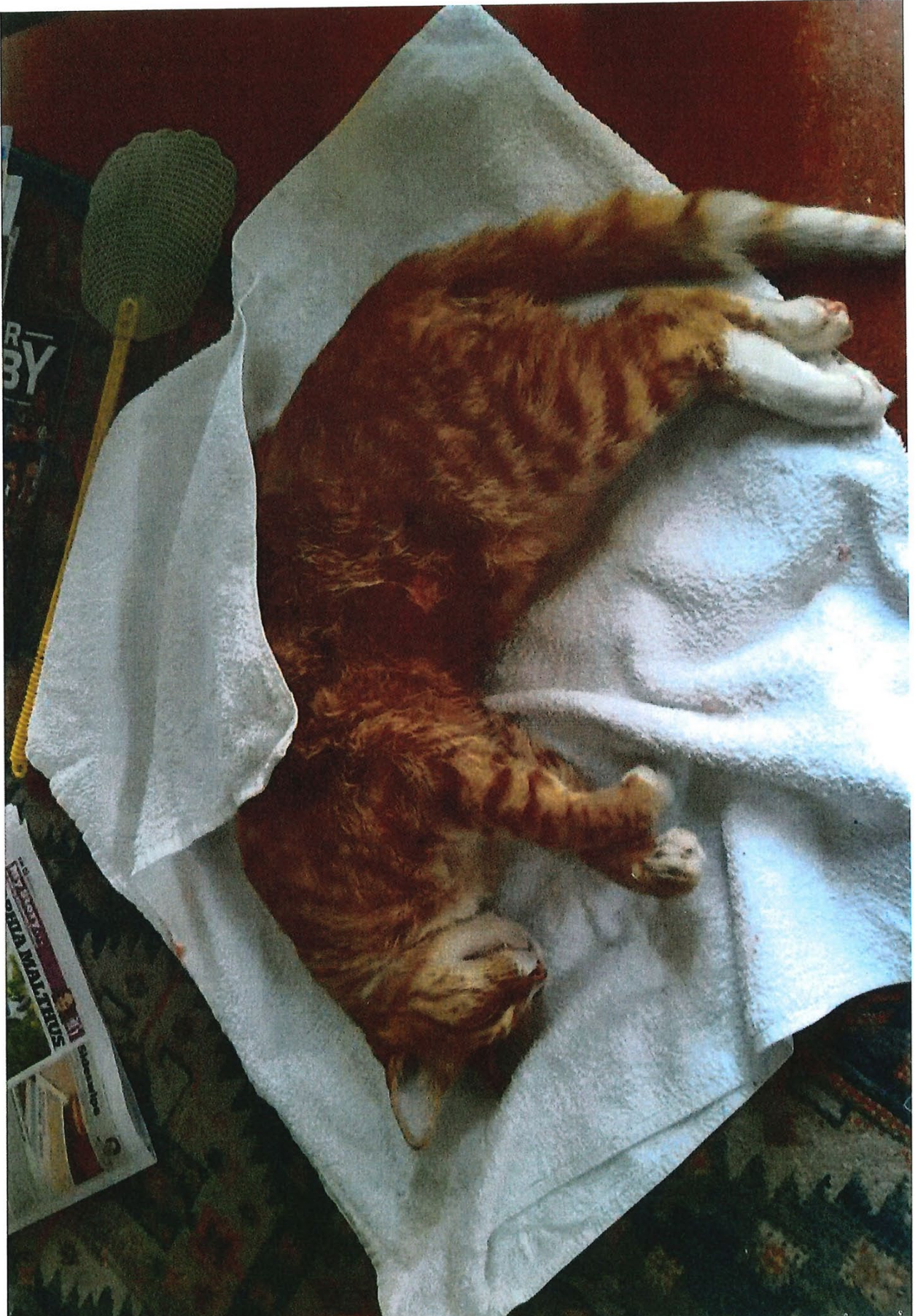
Attachment 1

Item 5



Item 5

Attachment 1



Attachment 1

Item 5

Warwick

From: [Complainant]
Sent: Wednesday, 24 February 2021 12:31
To: Warwick
Subject: Husky incident, Lachlan Drive, 23rd Feb 2021

Warning! This message was sent from outside your organization and we are unable to verify the sender.

Date: 23rd February 2021
 Location: , Hamilton
 Time: Approx 4.15pm

I was sitting at home after returning from work and heard some strange noises coming from the street, it sounded like distressed dogs. My flatmates and I went outside on our balcony to see if we could identify where the noise was coming from. My flatmates partner managed to see over the trees that there were 2 dogs attacking a cat. We all rushed outside to break up the situation. There were two huskies on the road with a ginger cat. Both dogs had one end of the cat in each of their mouths.

Both huskies, one younger than the other had collars on with their rego tags, name tags and their owners contact details.

My flatmate and her partner approached the dogs giving them the commands to let go, waving their arms around and clapping to get the dogs attention. The two dogs followed commands and released the cat. The dogs had dropped the cat from their mouths and were just standing around the cat on the road. Another neighbour came out as she also heard all the noise, she knew the cat and its owner so she picked the cat up and took the cat back to her place, with the intention of taking it to the vet. We tried knocking on the cats owner's house and rang the doorbell, but no answer so the neighbour took the cat.

A few of the other neighbours came out as they heard the noise.

My flatmate and her partner both held onto the two dogs. while I called animal control. The dogs were both extremely well behaved and followed commands from us. While I was on the phone, both dogs sat and allowed me to read both their council registration tags without hesitation. They also both once releasing the cat did not attempt to go hear the cat again. They were placid and didn't bark or resist us or our movements at all.

While waiting for the animal control to arrive, both dogs were happily sitting on the side of the road with my flatmate, we had managed to get some dog leads from another neighbour who had let us use them. To which both dogs allowed us to put leads on and happily walked with us and sat on the kerb, then laying down catching their breath.

Before animal control arrived, the cat owner came home. We told him about the situation and took him up to find the lady who had taken the cat, she lives on esmae place. As we were walking up with him, she came back around the corner with the cat in the carrier saying it had passed away. was obviously very upset. We walked the dogs across the road, as we were originally standing outside his house, began threatening my flatmate and her partner, asking if they were the dog owners. We all jumped in. and quickly corrected him that we were the ones who tried to help the cat and break up the situation. took his cat and went inside his house.

A few moments later the dog owner arrived and was very grateful to us that we had found her dogs and they were safe, upon seeing blood on their faces, she became worried and then asked what had happened. We filled her in with what had happened and said that the dog control had been called.

She happily stood and waited with us for the animal control to arrive.

While waiting she didn't try to make any contact with her two dogs, she let us hold them and the dogs both sat and waited with us. She got talking and said that she was out looking for her dogs as their home had just been broken into. The kids had returned home and heard someone in the house, and saw a man running out the door and thru the gate, leaving it open and that was how the two dogs had got out.

While we were waiting, the cat owner came outside again and approached the dog owner. He was visibly upset due to his cat just passing away and began yelling at the dog owner. He was very short and wouldn't listen to anyone trying to defuse the situation. He just kept yelling at the dog owner saying she needs to control her dogs, and why did she have multiple dogs while living in town. The dog owner could visibly see how distressed was so she allowed him to say his peace, let his frustrations and anger out without trying to defend herself. then went back inside his home to be with his cat and partner.

Another of the dogs owners arrived and he walked over to us to see what was happening. Again, he also came to us first and didn't make any attempts to make contact with his animals.

Soon after the dog control arrived and my flatmate and her partner walked the dogs over to the officers vehicles. The officers spoke to the two owners and informed them about taking their dogs, to which the owners agreed and allowed the dogs to go with the officers. One of the officers took the dogs, while the other officer went across to the cat owner, house to talk to him and get photos of the cat.

The dog owners thanked my flatmates and myself for our help and we all returned to our homes.

17/05/

Warwick

From: Animal Web
Sent: Wednesday, 24 February 2021 15:33
To: Warwick
Subject: FW: Police Acknowledgement Form (File Ref: 210223/6019) [#409C2O]
Attachments: PAF_REQUEST_FOR_ _Danielle.pdf

From: Info <INFO@HCC.GOV.T.NZ>
Sent: Wednesday, 24 February 2021 3:31 PM
To: Animal Web <Animal.Web@hcc.govt.nz>
Subject: FW: Police Acknowledgement Form (File Ref: 210223/6019) [#409C2O]

Hi,

Please see below email, for your response

Thank you,
 Customer Services | City Growth

Email: info@hcc.govt.nz



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

[Like us on Facebook](#) [Follow us on Twitter](#)

This email and any attachments are strictly confidential and may contain privileged information. If you are not the intended recipient please delete the message and notify the sender. You should not read, copy, use, change, alter, disclose or deal in any manner whatsoever with this email or its attachments without written authorisation from the originating sender. Hamilton City Council does not accept any liability whatsoever in connection with this email and any attachments including in connection with computer viruses, data corruption, delay, interruption, unauthorised access or unauthorised amendment. Unless expressly stated to the contrary the content of this email, or any attachment, shall not be considered as creating any binding legal obligation upon Hamilton City Council. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Hamilton City Council.

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

From: "Danielle" <[redacted]>
Sent: Tuesday, 23 February 2021 6:04 PM
To: "info@hcc.govt.nz" <info@hcc.govt.nz>
Subject: Fwd: Police Acknowledgement Form (File Ref: 210223/6019)

Warning! This message was sent from outside your organization and we are unable to verify the sender.

Kia Ora,

Please find attached the Police Report to be filed with the Animal Education & Control ref 218978/2021.

If anything further is required please let me know.

Ngā mihi,
 Dani

----- Forwarded message -----

From: <noreply.crl@police.govt.nz>

Date: Tue, 23 Feb 2021, 17:57

Subject: Police Acknowledgement Form (File Ref: 210223/6019)

To: <[dani](#)>

"Do not reply to this message, This e-mail message has been sent from an unmonitored e-mail address."

Dear Danielle,

Please find attached a copy of your Police Acknowledgement Form with regards to the complaint you made to the Crime Reporting line on **23/02/2021 17:14:00**.

If you have any questions, comments, or would like to add anything to your report, please quote the reference number provided when you call your local station.

For further crime prevention information then please visit Neighbourhood Support New Zealand's website, <https://www.neighbourhoodsupport.co.nz/tips-advice>

For further information on recording of serial numbers and reducing property offending please visit, <http://www.snap.org.nz>

To upload photos or documents relevant to your report, please visit <http://www.crl.govt.nz>

Thank you,

Crime Reporting Line.

"Do not reply to this message, This e-mail message has been sent from an unmonitored e-mail address." (See attached file: PAF_REQUEST_FOR Danielle.pdf)

=====

WARNING

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

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



Miss DANIELLE

HAMILTON CITY

COPY

Police Acknowledgement

Details

Name: DANIELLE

Address: HAMILTON CITY

Offence/Incident: Burgles (Other Property)(Under \$500) By Day

Location: HAMILTON CITY

Date Reported: 23/02/2021 5:14 PM

Reference Number: 210223/6019

Please Note

To upload relevant photos or documents, please visit 105.police.govt.nz
If you need to speak to Police again on this matter please quote the reference number recorded above.
For insurance purposes a telephone report of crime is not evidence in itself that a crime has occurred.



Need support or advice? Call Victim Support on 0800 842 846 or visit www.victimsupport.org.nz

Item 5

Attachment 1

Property and Belongings

Property crime can have a devastating impact. Here are some simple steps you can take to make your home and property as safe as possible:

1

Always lock your car, motorbike, bicycle or other vehicles. A car alarm, steering lock, or good quality chains are extra deterrents too. Ideally keep all vehicles in a garage or out of sight.

2

When out and about, keep your belongings secure and close to you. Separate your house and car keys, especially if you have an address on the key ring.

3

Don't provide places for burglars to hide — keep bushes and trees trimmed.

4

Don't answer the door for someone you don't know or don't want in your home. Ask for identification if they say they represent a company. If you're outside for an extended time, e.g. in the garden, lock your front door.

5

Keep valuables out of sight — If it can be seen, it can be a target. Keep receipts, warranties, valuations, and serial numbers in a safe place. Take photos or videos of jewellery, art and other precious items.

6

Secure your doors, windows, sheds and garages with good quality locks. Install security stays on windows, especially those on ground level.

Be Safe, Feel Safe. Click [here](#) for safety information from New Zealand Police.

Warwick

From: Warwick
Sent: Thursday, 25 February 2021 09:47
To: [REDACTED]
Subject: RE: Husky incident, Lachlan Drive, 23rd Feb 2021

Okay thanks.

From: [Complainant]
Sent: Thursday, 25 February 2021 8:42 AM
To: Warwick <Warwick. @hcc.govt.nz>
Subject: Re: Husky incident, Lachlan Drive, 23rd Feb 2021

Warning! This message was sent from outside your organization and we are unable to verify the sender.

Hey Warwick.
 No they won't be. They decided against.

They have since read over mine and believe it shares what happened, and theirs would be pretty much identical.

On 24/02/2021, at 1:12 PM, Warwick <Warwick. @hcc.govt.nz> wrote:

is your flatmate & her partner going to provide their own emailed statements?

From: [Complainant]
Sent: Wednesday, 24 February 2021 12:31 PM
To: Warwick <Warwick. @hcc.govt.nz>
Subject: Husky incident, Lachlan Drive, 23rd Feb 2021

Date: 23rd February 2021
 Location: Outside 40 Lachlan Drive, Dinsdale, Hamilton
 Time: Approx 4.15pm

I was sitting at home after returning from work and heard some strange noises coming from the street, it sounded like distressed dogs. My flatmates and I went outside on our balcony to see if we could identify where the noise was coming from. My flatmates partner managed to see over the trees that there were 2 dogs attacking a cat. We all rushed outside to break up the situation. There were two huskies on the road with a ginger cat. Both dogs had one end of the cat in each of their mouths.

Both huskies, one younger than the other had collars on with their rego tags, name tags and their owners contact details.

My flatmate and her partner approached the dogs giving them the commands to let go, waving their arms around and clapping to get the dogs attention. The two dogs followed commands and released the cat. The dogs had dropped the cat from their mouths and were just standing around the cat on the road. Another neighbour came out as she also heard all the noise, she knew the cat and its owner so she picked the cat up and took the cat back to her place, with the intention of taking it to the vet. We tried knocking on the cats owner's house and rang the doorbell, but no answer so the neighbour took the cat.

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We walked the dogs across the road, as we were originally standing outside his house, began threatening my flatmate and her partner, asking if they were the dog owners. We all jumped in. and quickly corrected him that we were the ones who tried to help the cat and break up the situation. took his cat and went inside his house.

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While we were waiting, the cat owner came outside again and approached the dog owner. He was visibly upset due to his cat just passing away and began yelling at the dog owner. He was very short and wouldn't listen to anyone trying to defuse the situation. He just kept yelling at the dog owner saying she needs to control her dogs, and why did she have multiple dogs while living in town. The dog owner could visibly see how distressed was so she allowed him to say his peace, let his frustrations and anger out without trying to defend herself. then went back inside his home to be with his cat and partner.

Another of the dogs owners arrived and he walked over to us to see what was happening. Again, he also came to us first and didn't make any attempts to make contact with his animals.

Soon after the dog control arrived and my flatmate and her partner walked the dogs over to the officers vehicles. The officers spoke to the two owners and informed them about taking their dogs, to which the owners agreed and allowed the dogs to go with the officers. One of the officers took the dogs, while the other officer went across to the cat owner, house to talk to him and get photos of the cat.

The dog owners thanked my flatmates and myself for our help and we all returned to our homes.

27/05,



Hamilton City Council
Te kaunihera o Kirikiriroa

Private Bag 3010
Hamilton 3240
New Zealand

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

26th February, 2021

Timi

Hamilton

Dear Timi

Please find enclosed Infringement notice: 12389

The offence that has been committed is Failure to keep dog under control.

We have spoken too you in relation to this.

As a consequence an infringement notice has been issued under Section 53(1) 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

Dog Control Officer

COPY

Item 5

Attachment 1

Animal Education & Control



Hamilton City Council
Te kaunihera o Kirikiriroa

Private Bag 3010
Hamilton 3240
New Zealand

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

26th February, 2021

Danielle

Hamilton

Dear Danielle

Please find enclosed Infringement notice: 12390

The offence that has been committed is Failure to keep dog under control.

We have spoken too you in relation to this.

As a consequence an infringement notice has been issued under Section 53(1) 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.

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

Regards

Dog Control Officer

COPY

Animal Education & Control

 Hamilton City Council Hamilton, New Zealand	memo
Private Bag 3010, Hamilton, New Zealand Phone 07 838 6699 www.hamilton.co.nz	


ANIMAL EDUCATION & CONTROL

To: Sue Stanford (Animal Education and Control Manager)

From: Warwick (D24)

Subject: Menacing Classification on ~~Observed~~ Behaviour/reported behaviour

Date: 26/2/21 AN: 239553 File: CAR: 218978/2021

CAR DETAILS: Brief breakdown of how dog come to our attention. <u>Dogs v cat Attack. This dog (4 another), were out roaming & attacked a cat, which subsequently died.</u>	
DOG OWNERS DETAILS: How was AECO received by dog owner? Is the D/O aware that their dog is being Classified? <u>-) AECO's were reasonably well received by the D/O's.</u> <u>-) D/O's are aware this dog is being classified.</u>	
DOG DETAILS: Is this dog to be classified on <u>Behaviour</u> . Describe behaviour and any identifying marks. <u>(White / Female / Siberian Husky)</u> Micro Chip: <u>934000040245015</u> is the individual identifier for this dog. AN: <u>239553</u> Registration Number: <u>HCC 2940 (2020/21)</u> Dogs Name: <u>MARANA</u>	
MENACING CLASSIFICATION NOTES: This dog has been is to be classified as menacing on observed or reported behaviour under Section 33A of the Dog Control Act 1996	
DETAILS OF AECO's Involved with Classification: Peter Crocker Team Leader Animal Education & Control <u>D24 (Warwick)</u>	
Approved for classification: 	Date: <u>1/3/21</u>
Is the identification Checklist attached <u>Yes or No</u> <u>N/A</u>	Have photos been saved <u>Yes or No</u>

Menacing Classification Cover Sheet

e_an005 - Animals Enquiry - Hamilton_LIVE - 46012 - 7.0

Document Edit Name and Address Payments Animals Other Modules Help

OK Cancel Cut Copy Paste Find Excel Help Mapping Memos Attachments

6 of 6

Document Browse

****Menacing Animal****

1 Memo Recorded

Animal Type Dogs Number

MicroChip Brand Id

Alpha Key

Assessment Parcel

Owner

House Number

Street Name

Suburb Name

Owner Details

Name & Danielle

Address
Dinsdale
Hamilton 3204

Mobile Phone

Home Phone

Business Phone

e-Mail Address

Animal Details

Kept at Address

OutsideTag Ref Dangerous Agency

Animal Name Neutered Gender

Breed Siberian Husky Cross

Main Colour White Second

Birth Age Years Months Death Depart

Features Permit Number

Registration Details

Tag Number Tag Set

eTran Recpt Date Reg Till

By Law Code Search

Code Type Code Value

 Hamilton City Council <small>Te Kaitiaki Take Kōwhiri</small>	memo
Private Bag 3010, Hamilton, New Zealand Phone 07 838 6699 www.hamilton.co.nz	

ANIMAL EDUCATION & CONTROL

To:	Sue Stanford (Animal Education and Control Manager)		
From:	Warwick (D24)		
Subject:	Menacing Classification on Observed Behaviour/reported behaviour		
Date:	26/2/21	AN: 232820	File: CAR: 218978/2021

CAR DETAILS: Brief breakdown of how dog come to our attention. <i>Dogs v Cat Attack. This dog (+ another) were out roaming + attacked a cat, which subsequently died.</i>	
DOG OWNERS DETAILS: How was AECC received by dog owner? Is the D/O aware that their dog is being Classified? <i>-> AECC's were reasonably well received by the D/O's. -> D/O's are aware this dog is being classified.</i>	
DOG DETAILS: Is this dog to be classified on <u>Behaviour</u> . Describe behaviour and any identifying marks. <i>(Brown + white / Female / Siberian Husky)</i>	
Micro Chip: <i>95301000104542</i> is the individual identifier for this dog.	
AN: 232820	Registration Number: <i>HCC 7516 (2020/21)</i> Dogs Name: <i>KA MAIA</i>
MENACING CLASSIFICATION NOTES: This dog has been is to be classified as menacing on observed or reported behaviour under Section 33A of the Dog Control Act 1996	
DETAILS OF AECC's Involved with Classification: Peter Crocker Team Leader Animal Education & Control <i>D24 (Warwick)</i>	
Approved for classification:	Date: <i>1/3/21</i>
Is the identification Checklist attached Yes or No <i>N/A</i>	Have photos been saved Yes or No

Menacing Classification Cover Sheet

e_an005 - Animals Enquiry - Hamilton_LIVE - 8844 - 7.0

Document Edit Name and Address Payments Animals Other Modules Help

OK Cancel Cut Copy Paste Find Excel Help Mapping Memos Attachments

5 of 6

Document

****Menacing Animal****

1 Memo Recorded

Animal Type	1 Dogs	Number	232820
MicroChip Brand	MICROCHIP	Id	953010001044542
Alpha Key	T		
Assessment	24479	Parcel	4386981
Owner	1097985		
House Number			
Street Name	Glendale		
Suburb Name	Dinsdale	3204	

Owner Details

Name Tim & Danielle

Address Glendale Drive
Dinsdale
Hamilton 3204

Mobile Phone

Home Phone

Business Phone

e-Mail Address

Animal Details

Kept at Address

OutsideTag Ref Dangerous Menacing Agency

Animal Name Ka Maia Neutered N Gender Female

Breed SIBE Siberian Husky Cross

Main Colour BRO Brown Second WHI White

Birth 12/04/2016 Age 4 Years 11 Months Death

Features 459697 Permit Number

Registration Details

Tag Number 7516 Tag Set 2020/21

eTran Recpt Date 12/08/2020 Reg Till 30/06/2021

By Law Code Search

Code Type Code Value

9 March 2021

Timi and Danielle

Hamilton

COPY

Dear Timi and Danielle

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 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. 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 838 6632.

Regards



Susan Stanford
Animal Education and Control Manager

Animal Education and Control Centre
217 Ellis Street, Hamilton
Phone 07838 6632
Fax 07 838 6915

AC-F64a
V 8
16.3.11

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

COPY

To: * Timi and Danielle
(name of owner)

Address: Hamilton

**Female, Siberian Husky, White in colour, Named
Marama, aged 9 months approximately, Microchip
934000090245015**

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, 23rd February 2021, in Hamilton

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


Animal Education and Control Manager

8/3/2021
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 —
 - (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

V2
16.3.2011
AC-F54

COPY

- (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.

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.

9 March 2021

Timi and Danielle

Hamilton



Private Bag 3010
Hamilton 3240
New Zealand

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

COPY

Dear Timi and Danielle

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 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. 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 838 6632.

Regards

Susan Stanford
Animal Education and Control Manager

Animal Education and Control Centre
217 Ellis Street, Hamilton
Phone 07838 6632
Fax 07 838 6915

AC-F64a
V 8
16 2 11

Notice of Classification of Dog as Menacing Dog

Section 33A, Dog Control Act 1996

To: *
(name of owner)

Timi and Danielle

COPY

Address:

Hamilton

Siberian Husky, Brown and White in colour, Named
Ka Maia, Aged 4 years and 10 months
approximately, Microchip 953010001044542

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, 23rd February 2021, in Hamilton

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


Animal Education and Control Manager

8/3/2021
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 —
 - (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

V2
16.3.2011
AC-F54

COPY

- (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.

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.



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
Address is

The same as that
on the notice

or

(Specify)

THREATENING PAPERWORK FOR 2 DOGS - KA MAIA & MARAMA.

TIMI & DANIELLE

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

10th Day of March 2021 (at 11-57AM)

At _____

Hamilton

(Show full address of service)

Dog Control Officer Warwick (D24) 1013121

Registered Letter

Date Posted:

Susan

From: Jennifer
Sent: Thursday, 1 April 2021 10:48 am
To: Susan
Subject: Re: Objection to Section 33A(2) classification - Timi

Warning! This message was sent from outside your organization and we are unable to verify the sender.

Thank you Susan,

I was just about to email in regards to timeframe, you read my mind!

I have collated most items so far, and we now have a confirmed booking with the Dog phycologist which is booked for the 9th of April, that will be the last thing we will be waiting to receive,

Once this has come through I will send everything through to yourself.

Thanks for your help.

Jennifer

Get [Outlook for iOS](#)

From: Susan <Susan.1@hcc.govt.nz>
Sent: Thursday, April 1, 2021 10:42:14 AM
To: Jennifer < >
Subject: RE: Objection to Section 33A(2) classification - Timi

Hi Jennifer

I am now starting the report for the hearings panel. Can you please have all the information that Timi wants included in the report to me by Wednesday 14 April 2021. If there are any issues with this timeframe please let me know as soon as possible.

Thanks
 Sue

Susan

Animal Education and Control Manager | City Safe

07 556 2205 | Mob: 021 778 8888 | Email susan.1@hcc.govt.nz



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

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From: Jennifer
Sent: Friday, 26 March 2021 2:15 pm
To: Susan <Susan. @hcc.govt.nz>
Subject: RE: Objection to Section 33A(2) classification - Timi

Perfect, thank you Susan,

Will get the information into you pronto.

Thanks Jennifer

From: Susan | <Susan. @hcc.govt.nz>
Sent: Friday, 26 March 2021 12:34 PM
To: Jennifer <
Subject: RE: Objection to Section 33A(2) classification - Timi

Hi Jennifer
 I have attached the public hearing information regarding menacing dogs.

From hear I will notify Governance of the objection, someone from there will contact Timi or yourself to discuss a suitable hearing date.

I will start a report for the hearings panel, Timi needs to forward all his information so this can be included in the report. A copy of the final report is provided to the hearings panel and Timi.

Then on the day Timi attends to speak to his submission (in report) and the Councillors will ask questions also.

Regards
 Sue

Susan
 Animal Education and Control Manager | City Safe

DDI: 07 555 1111 Mob: Email susan @hcc.govt.nz



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From: Jennifer
Sent: Thursday, 25 March 2021 8:09 PM
To: Susan <Susan. @hcc.govt.nz>
Cc: Timi
Subject: Objection to Section 33A(2) classification - Timi

Hi Susan,

Thank you for your time and explanation of the classification objection process on the phone yesterday.

As mentioned yesterday, Timi of has asked me to communicate on his behalf regarding the infringement notices and classification notices he and Danielle have received against their two dogs Ka Maia 953010001044542 and Marama 934000090245015.

Timi has said that he is more than happy to pay the issued infringement notices 12389 & 12390 related to the incident on the 23rd February 2021. He was under the impression that the emails in the trail referenced below, were deemed as an objection from him to the section 33A(2) classifications not the fines, however I have explained to him that the objections below were taken in reference to the fines and not the classifications.

Timi would like to begin the formal objection process to both the section 33A(2) classifications that have been placed upon the dogs.

Timi is collecting evidence of the dogs characters and behaviours such as letters from the family vet, neighbours statements and a dog phycology report.

Please advise the next steps/actions to be taken in the objection process.

Regards

Jennifer
On behalf of Timi CC'd

From: Timi
Sent: Wednesday, 17 March 2021 2:50 PM
To: Jennifer
Subject: Fwd: CONTEST: Notice Number 12389

Susan

From: Timi
Sent: Tuesday, 16 March 2021 4:30 pm
To: Susan
Subject: Re: CONTEST: Notice Number 12389
Attachments: image002.gif

Warning! This message was sent from outside your organization and we are unable to verify the sender.

Yes she is and she heavily objects to the picture you've painted about her

On Tue, 16 Mar 2021, 1:36 pm Susan Stanford, <[Susan.](#) [@hcc.govt.nz](#)> wrote:

Hi Timi

Can you please confirm if Danielle is also wishing to object to the infringement (12390) issued to her.

Regards

Sue

Susan

Animal Education and Control Manager | City Safe

DDI: | Mob: | Email [susan](#) [@hcc.govt.nz](#)



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From: Timi
Sent: Tuesday, 16 March 2021 11:25 AM
To: Susan Stanford <[Susan.](#) [@hcc.govt.nz](#)>
Subject: Re: CONTEST: Notice Number 12389

This is absolutely ridiculous,

An intruder breached a secure section where 2 hyped up dogs attacked a cat. I surely hope your safe place is never invader and the protectors of your whanau aren't faced with such defamation. You clearly have no family morals you cold miserable person. Then you have the nerve to reference an incident that doesn't even involve both of these dogs where by they were let loose in farm lands in friends care.

I will take your ommision of a belligerent investigation associated with multiple admin inconsistencies, along with the multiple accounts, that are on your file, that reference to how well both dogs responded inferring training and see you in court. This entire thing is an absolute joke and I will not rest until YOU are held accountable.

Please forward all legal details to Mark @ FMLawyers. Our legal team is ready and waiting.

On Tue, 16 Mar 2021, 10:45 am Susan Stanford, <[Susan.6](#)> <6hcc.govt.nz> wrote:

Hi Timi

I have looked into the attack on the cat committed by your dogs.

The officer investigating the complaint should have contacted you to let you know the outcome of the attack. I understand this did not happen as the officer noted Danielle had spoken to one of our admin team, the day after the attack and before collecting the dogs, who had explained the outcome to Danielle. In speaking with the admin staff member she said Danielle already seemed to be aware of the infringements as she queried how to pay them. The officer investigating has been reminded of the need to close out investigations by contacting all relevant parties.

The police report supplied is included in the investigation notes and I understand this has been difficult for you and your family. However, as the dog owner you are responsible for the actions of your dogs irrespective of how they got out. Many dogs are let out by casual visitors to properties such as couriers and other visitors but the vast majority do not go on to kill a cat.

Given the history of your dogs attacking and killing chickens, prior to the cat incident, it is up to you to ensure visitors to your property, invited or not, are unable to let your dogs loose. The infringements will not be withdrawn. If you wish to contest these let me know and I will start the process for a defended hearing at the District Court.

Regards

Sue

Susan

Animal Education and Control Manager | City Safe

DDI: | Mob: | Email susan | @hcc.govt.nz

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From: Timi
Sent: Thursday, 11 March 2021 11:25 AM
To: Susan Stanford <[@hcc.govt.nz](mailto:Susan)>
Subject: CONTEST: Notice Number 12389

Good morning Susan,

Firstly, I would like to thank and acknowledge Abby this morning for her assistance in this matter. I understand that much of this process is protocol driven procedure. With that said, I would like to also acknowledge how disappointed I am in the disgraceful manner in which this situation has been handled.

On Tuesday 23/2/21 multiple invaders trespassed onto our premises and proceeded to rob us, where by minors (unintentionally) spooked them. In their frantic rush they left out the back door and ripped our side gate completely off of its hinge in order to escape. This was our secure area whereby our dogs are safely kept when we are at work. The invaders clearly saw the dogs and left our premises through the back part of our section with the dogs in hot pursuit. They chased the dogs down Aberdeen and right onto Lachlan where the invaders clearly got away and unfortunately two hyped up dogs attacked a cat.

I am contacting you in regards to receiving an encyclopedia of trees in the form of multiple notices and infringements welcoming us both home from work yesterday. Although I have multiple conservational concerns about the efficiency of relaying this pānui, I am mostly concerned about how it has occurred. As you can imagine, this has been an incredibly traumatic fortnight. We have two minors under going psychological treatment and timid and scared 26 year old who doesn't want to leave home, receiving this!

There has been no correspondence, no investigation nor phone call from anywhere and then this. I have not spoken to anyone. We have been waiting desperately to be able to speak to the owner of the cat and have trusted in this investigation process. Instead, we receive these inappropriately drawn inferences that highlights how lazy the investigation has been. The police have been on our premises 3 times, taken multiple photographs/ finger prints and even made a work visit. They have gone above and beyond to not only empathize but more importantly acknowledge and help navigate through this incredible sadness. This investigation hasn't even included talking to the people who called the council and publicly admit the dogs came straight at the command and sat by their sides. Yet, they are 'maliciously uncontrollable menaces'.

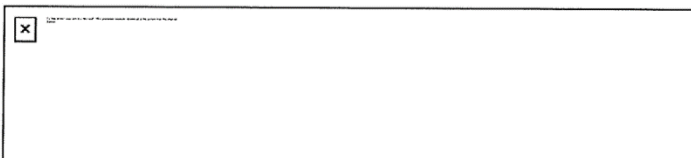
To say that I am 'disappointed' would not even give justice to a) its definition but furthermore, b) any contextualized perspective of how any one could competently and knowingly act in this situation. We received an infringement notice (53(1)) 'Failure to keep a dog under control' after being robbed. That single line expresses not only how ridiculous this entire situation is but more pressingly, how SAD this entire time has been for us.

Thank-you!

--

Noho ora mai rā,

Timi



The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

14th April 2021

Animal Education and Control office

217 Ellis St,

Frankton,

Hamilton 3204

To the Hamilton City Councilors,

This letter is written on behalf of and with permission from Timi and Danielle concerning the recent menacing classifications placed upon their two dogs Ka Maia 953010001044542 and Marama 934000090245015. The purpose of this letter is to evoke the consideration of the Council to review and overturn the decision of the enforced menacing classifications for Ka Maia and Marama.

Both Timi and Danielle have been responsible dog owners for the last several years and are known as well-respected dog owners within their neighborhood and community. This respect is testified to in the attached letters of support from their neighbors who also know Ka Maia and Marama well.

For the purpose of providing you with the background of the circumstance, on the day that the dogs were captured by Animal Control, Timi and Danielle's family home at Glendale drive was being burgled. The burglars got scared off during the invasive burglary and proceeded to leave the property breaking the gate to the dog's enclosure in the process, taking it clean off its hinges. The dogs chased the burglars down the street until they could no more and came across a cat which they attacked and killed. Animal Control was called, and the dogs were consequently captured and had a menacing classification placed upon them.

This as you can imagine was not an everyday circumstance for the family or their dogs and as a result the dogs have reacted in a way which is completely out of character for them. The children who returned home during the burglary have had to undergo counselling as a result of the disturbance to their home which shows how effected a person or animal can be by this act of invasiveness into their safe place.

For reference and for the sake of painting/reflecting the true picture of the family's responsible dog ownership please find attached letters of support from neighbors and the families Veterinarian Bart , Director of Newstead Veterinary Services. Bart is a highly respected Vet within the Hamilton and Newstead communities and has worked with the families' animals for several years. Bart has firsthand experience with the temperament of many dogs that require a muzzle to ensure the safety of those around them and clearly states that this is not the case for ka Maia or Marama. He goes on to say that he and his staff always feel 'very safe' in the company of Ka Maia and Marama whenever they visit the clinic. This would not be the case in the presence of a known 'menacing dog'.

Last but not least, attached is a dog phycology report from Selina who holds a Bachelor of Applied Animal Technology and is a qualified Dog Behavioral Consultant and trainer. Selina has been out to visit and witness Ka Maia, Marama and a third dog Manaaki in their home environment at Glendale drive.

While visiting the dogs Selina notes that both Timi and Danielle go above and beyond for the safety and wellbeing of their dogs and those who meet their dogs far more than many dog owners she has come across in her 17 years of experience as a dog trainer and behavioral consultant. Selina was able to witness the safety of the enclosure the dogs are kept in and has also made many relative points relating to the restraint applied when the dogs are regularly walked. She has also referred to the negative impacts that muzzling can have on a dog's behavior and addressed the unnecessary muzzling as perpetuating a negative reactionary cycle. Both Timi and Danielle are fearful that muzzling Ka Maia and Marama on walks is unfair to the dogs who could struggle to breathe if this were made mandatory. The dogs are run twice a day a minimum of 5kms on each run so a muzzle would do nothing but hamper their breathing efforts and have possible adverse effects on their behavior while out on their runs.

The very fact alone that Timi and Danielle would go to the lengths they have gone to, to restore their status as responsible dog owners and have the menacing classifications removed from their dogs, paying upwards of \$2000 for this behavioral assessment shows the emotional and financial investment this family has and is willing to make in their dogs now and in the future.

To keep the menacing classification and impose compulsory desexing of both Ka Maia and Marama shows a lack of common sense, community spirit and would in turn completely ignore a professional qualified opinion of one that has 17 years' experience in the very field that these classifications relate to which is ultimately a dog's behavior.

It has also been noted that during the course of this investigation there has been no investigation into the dogs' surroundings, environment or home. A home visit from the Council has not been conducted and one would think that to make an informed decision in one's investigation about the behavior of the dogs you would first need to start with the level of welfare, safety and stability of the dog's environment and enclosure, otherwise you are but making an assumption of the dogs' behavioral impacts and the owner's ability to maintain a stable environment and be a responsible dog owner. Please see on the following page, photos of the dog's enclosure and a photo of the dogs interacting with the neighbors' children.

Timi and Danielle have visited the owner of the cat that was killed and extended their sympathy and have offered compensation in any way that the owner sees fit. They in no way undermine the loss that the cat owner has endured.

Timi and Danielle, are active members of the community and would request that the Council exercise a sense of community spirit in their power to overturn the classification decision.

Your sincerely

Jennifer

assistant of and on behalf of

Timi and Danielle



Item 5

Attachment 4



161 Morrinsville Road
Newstead, 3284
Ph: 07 856 4522
Fax: 07 856 9487
Email: enquiries@newsteadvets.co.nz

9th April, 2021

To whom it may concern,

My name is Bart [redacted] I am an owner, director and senior veterinarian at Newstead Veterinary Vets in Hamilton. We are a long-standing veterinary clinic that specialise in companion animal veterinary care.

We have been overseeing the veterinary care of all pets owned by Timi [redacted] and Danielle of [redacted] Glendale Drive, Dinsdale, Hamilton since January 2018. Currently, 3 Siberian huskies are registered with us, and include Manaaki, Ka Maia, and more recently Marama.

It is the opinion of myself, and all staff of Newstead Vets, that Timi and Dani are two of the most dedicated dog owners attending our clinic and set high animal husbandry and welfare standards. This can be evidenced by their attendance history at Newstead Vets over the last 3 years. This includes regular attendance for preventative health initiatives and "gold standard" diagnostics, treatments and surgical procedures being elected and carried out for their dogs immediately when they are called for. We can also vouch for the exceptional behaviour of their dogs when in attendance of our facilities. Myself and staff have had no fears or concerns when it comes to handling and manually restraining these Ka Maia, Manaaki, or Marama. We have had no reported incidences involving them on our files. Neither Manaaki, Ka Maia, or Marama carry a "muzzle" warning on their clinical notes. A warning generously awarded to any dog that we believe may pose a safety risk to ourselves. A verbal reference can also be provided if needed.

Regards,
Bart [redacted] BVSc
Director and Senior Veterinarian
Newstead Vets
Hamilton

Selina
Bachelor of Applied
Animal Technology

Dog Behavioural Consultant
& Dog Trainer

www.dogsbestfriend.co.nz



Assessment report for Dani, Timi, Manaaki, Kamaia and Marama

Timi and Dani were the victims of an invasive crime and these provided extenuating circumstances for this infringement, setting off a course of events that would otherwise have been unlikely to take place.

After the gate, which the dog's were securely held behind, was broken with an intruder coming into the territory, the dogs become understandably charged. The gate being broken meant that Marama, at her age being socially immature, was also out for the first time off-lead. Dani and Timi were not in physical charge at the time of this incident as they were working and did take all reasonable steps to secure their dogs safely at this time. The couple have since put in place even greater measures for security in the environment.

After spending time with the family, I strongly believe Dani and Timi go above and beyond for their beloved dogs and most certainly put in a great deal more effort and thought into their dogs safety and wellness, than the vast majority of dog owners I have encountered in my dog behavioural and training consultancy over the last 17 years. With this, Dani and Timi have extensive knowledge of both their individual dogs temperaments and attributes, as well as their breed also. There is effort in group as well as individual training for each dog, with obedience commands practiced regularly.

Also, the dogs are run for about 5 km, twice daily, rain, hail, or shine.

The couple strive to provide a varied diet to appease a Husky's sometimes fickle tastes. They cook and prepare a diverse diet for the three dogs evening meal, with great knowledge about what they should and should not feed them.

The couple have also committed extensive financial expense to their cherished dogs, beginning with the importation of Manaaki and Kamaia with the intention of also breeding from them as well as 'extending their family' in the process. Then, the couple proceeded with invitro fertilization with the pair, bringing them Marama through this process.

Manaaki, Kamaia and Marama are already only walked on a lead (and they are securely held in position by being grounded to a point around Dani or Timi's waist). Dani and Timi demonstrate adequate direct control whilst the dogs are on the lead. This clearly invokes the actions of The Dog Control Act, 1996, Section 52 (a) 2 (a) The dog is under direct control of a person.

Muzzling of dogs can potentially create negative behavioural consequences in both the muzzled dog and any other non- muzzled dogs encountered. The muzzled dog is more likely to react defensively and by the other dog, encroachment into the muzzled dog's 'personal space' in a hostile way is more likely to occur, as the muzzled dog looks and acts differently. Difference in the natural world can be perceived as a possible threat as well as a weakness. This hostile situation with other dog's is most certainly not one that should be encouraged, particularly when unnecessarily. There is also a social stigma stamped upon the owner of a muzzled dog (not to be agreed with but it sure does occur). Other owners walking along see a dog with a muzzle on and cross the road. Dogs are far better than us at reading body signals (though they cannot read what a muzzled mouth is doing – are teeth bared in warning?) and they begin to associate the muzzled dog as a negative, thus perpetuating a negative reactionary cycle.

You, representatives of Hamilton City Council, as per the Dog Control Act 1996, Section 10 (8) have the power to amend policy calling for this desexing and compulsory muzzling that you are presently prescribing for these dogs, Manaaki, Kamaia and Marama. I urge you to consider these restrictions.

LEARN THE RIGHT SIGNALS
SPEAK DOG

Rhett
Glendale Drive
Dinsdale
Hamilton

31 March 2021

Hamilton City Council
Animal Education and Control
217 Ellis St
Frankton
Hamilton

To whom it may concern

Timmy and Dani Huskies impounded from Glendale Drive, Dinsdale, Hamilton

Timmy and Dani purchased the above property a few years ago.

Before they even moved into the property, they had a dog and people proof 1.8 m high fence built around the front yard of the property. They also had all existing fences and gates improved to keep the dogs they planned to bring to the property in and uninvited people out.

As they have their Huskies to breed from, they keep them in tip top health and physical condition. I cannot confirm but would anticipate all their dogs have regular vet checks, are wormed, vaccinated and are Registered with HCC. I can confirm they are well trained, follow commands from their owners, are not aggressive to people and I have never heard them bark, unlike some other nearby dogs do all day and night.

All dogs need exercise, but none more so Huskies. The run, on leashes, all their Huskies,
every day.

I know a lot of dog owners amongst my friends and business acquaintances. However out of all the dog owners I know, I do not think any of them provide for the health, wellbeing and protection of their dogs more so than the ;.

I am aware that the were burgled a few weeks ago, and during this crime the Huskies were let out. I am told that during this time it is alleged that one or more of them killed a cat. For the record we have 3 cats in our household.

I am advised that HCC is considering prosecuting the for this alleged event.

I write this letter to vouch for the care and protection of their dogs and their neighbours that the [redacted] have provided since before they even moved in. I believe it would be unjustified and unfair IT NOT unlawful to prosecute the [redacted] for an alleged act of their dogs after they had been let out of their containment during the act of a crime, the burglary, of their property. I believe that no further action should be taken towards the [redacted] or their Huskies in this instance.

Please feel free to contact me any additional information you may wish from me.

Yours sincerely

Rhett



Managing Director
Affordable Driveways 2012 Ltd
Mob.
Hm.
Email. @affordabledriveways.co.nz

Susan Stanford

From:
Sent: Tuesday, 6 April 2021 2:15 pm
To: Jennifer
Subject: FW: Dog complaint

Kia Ora Jennifer,

Please find attached another statement of support.

Hope you had a wonderful weekend 😊

Noho ora mai rā,

Dani
 Administrator

arewa Place
 Pukete. Hamilton 3200
 (07) 350 1122



The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

From:
Sent: Tuesday, 6 April 2021 10:24 AM
To:
Subject: Dog complaint

We are writing this in support of Danielle and Timi, who are our neighbours at . We live at Glendale Drive, which is opposite number .

On the day the cat was killed, I was at home at the time this occurred. There was a break in at number which wasn't discovered until the children living at the house got home from school and found the burglars still in the house. The intruders attempted to escape by going through the front yard where the dogs are kept, but once realising the dogs were there, they opened the gate and took off out the back of the section and through to Lachlan, with the dogs in pursuit. Unfortunately the dogs encountered the cat and killed it.

The 3 dogs were in a fully enclosed yard prior to the burglars forcing the gate open. These dogs are exercised daily, and do not bark, even when I walk past with my dogs, and nor do they rush at the fence. We both consider these dogs to be very well behaved and well trained.

We feel enormous sympathy for the cat owners, however do not believe Timi and Danielle are at fault. They have taken all reasonable precautions regarding keeping their dogs under control. We feel it would be totally unfair to blame dogs or owners in this situation, they are victims too.

Regards

Kia ora,

I write as a neighbour of Dani and Timmy to attest to their character and competence as responsible and caring dog owners.

They have two lovely, much loved and well cared for huskies on the property. The dogs have a well secured appropriate lawn area and section to move around in.

They are exercised daily by the family. We never hear the dogs, which is a clear indication that they are happy, well cared for and contented. Often we see them enjoying the sun and view from the secure deck area upstairs where they sit / lie down.

It was horrifying to learn of the recent break and entry to Dani and Timmys property, in broad daylight, at which time the dogs were let out!

This must have been very distressing for both the dogs and the family.

I have never had any concerns regarding the dogs, nor of Dani, and Timmy in their ability to care for and manage their dogs.

I wish Dani and a
Timmy well in clearing any questions of their suitability as dog owners.

Nga mihi

Susan Stanford

From: Timi
Sent: Sunday, 28 March 2021 9:46 am
To: Jennifer Landrum
Subject: Fwd: Husky letter
Attachments: received_390771365267776.jpeg

----- Forwarded message -----

From: !
Date: Sat, 27 Mar 2021, 11:18 am
Subject: Husky letter
To: _____

26 March 2021

Re: Character Reference

To whom it may concern
I am the neighbour of Timi . I am writing in support of Timi and his family as dog owners.

I have been their neighbour for nearly three years. My balcony looks directly onto the dogs fully fenced and secure outdoor play area; purpose built for them. During this time, I have never seen their dogs outside of their property roaming, unattended. They have never been onto my property unattended.

In their secure play area the dogs interact freely without being chained. They have toys, shaded sleeping areas and access to fresh water daily. They go for runs with their owners daily and out on trips on the truck.

My children have had interactions with these Husky's. A number of our children have been over to their house to play with them. They are always happy and ready to play. They are well adjusted dogs. They don't bark or whine and have never showed signs of aggression.

We are used to having the Huskys live next to us. Our family will be devastated if anything happened to them. They are a part of our community and we love them too.

Timi and his family are very responsible dog owners and they are very lucky dogs.

Animal HistoriesKa Maia (AN232820)

CRM and date	Event	Outcome and notes
CRM185416 27/9/2019	Dog attack Two Huskies have killed six of the complainant's chickens and attempted to get into their rabbit hutch. The complainants daughter witnessed the attack. Two dogs were Ka Maia and Manaaki Tapara	Both dogs were seized from the complainants property and a written warning was issued. Dog owners noted that dogs had been in the care of someone else at the time of the incident.
CRM218978 23/2/2021	Dog attack Two dogs have been caught mauling a cat on Lachlan Dr. Two dogs were Ka Maia and Marama	Both dogs were seized from the scene, infringements 12389 and 12390 issued and both dogs classified as menacing on behaviour. Dog owners reported dogs let out of section during a robbery, Police report provided.

Marama (AN239553)

CRM and date	Event	Outcome and notes
CRM218978 23/2/2021	Dog attack Two dogs have been caught mauling a cat on Lachlan Drive. Two dogs were Marama and Ka Maia	Both dogs were seized from the scene, infringements 12389 and 12390 issued and both dogs classified as menacing on behaviour. Dog owners reported dogs let out of section during a robbery, Police report provided.

Articles on Siberian Huskies and prey drive

<http://www.vetstreet.com/dogs/siberian-husky#upper-tabs>

<https://www.hillspet.com/dog-care/behavior-appearance/prey-drive-in-dogs>

<https://drsophiayin.com/blog/entry/killer-dogs-predation-and-predatory-aggression-in-pets/>

<https://dogtime.com/dog-breeds/siberian-husky#/slide/1>

<https://www.akc.org/dog-breeds/siberian-husky/>

<https://a-z-animals.com/animals/siberian-husky/>

<https://worlddogfinder.com/breeds/siberian-husky>

<https://www.pawschicago.org/about-us/media-center/paws-in-the-media/news-item/showarticle/prey-drive/>

<https://tractive.com/blog/en/safety/hunting-behavior-in-dogs>

<https://www.hillspet.com/dog-care/behavior-appearance/prey-drive-in-dogs>

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 December 2020) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987))	Section 48(1)(a)

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

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
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