
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 on Tuesday 1 September 2020 at 12.57pm.

PRESENT

Chairperson Cr Ewan Wilson

Heamana

Members Cr Maxine van Oosten
Cr Rob Pascoe

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

Governance Staff: 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 O’Leary and 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 Dog Control Hearings Panel Open Minutes 28 July 2020**
Resolved: (Cr Wilson/Cr Pascoe)
That the Panel confirm the Open Minutes of the Dog Control Hearing Panel Meeting held on 28 July 2020 as a true and correct record.

5. Objection to disqualification from dog ownership - Ropata Marshall

Mr Marshall's lawyer outlined the history of infringement notices that have been provided to Mr Marshall with reference to the Dog Control Act. He spoke in opposition of the disqualification from dog ownership of Mr Marshall. He responded to questions from Members concerning dog breeds, dog training courses, history of dog ownership, fencing on the property, exercise habits, sale of previous litters, confidence in dog ownership and previous incidents.

The Animal Control Manager and Animal Control Team Leader spoke to points raised by Mr Marshall's Lawyer concerning the Dog Control Act, previous incidents at the property and ownership of dogs on the property. They responded to questions from members concerning the timeline of infringements, animal training options provided, dog control law, severity of previous incidents and witness accounts of incidents.

The meeting adjourned from 1:56pm to 2:05pm.

6. Objection to menacing classification - Taryn Van Meygaarden

Ms Van Meygaarden spoke in opposition of the menacing classification of the dog "Rocky". She outlined the incident that lead to this classification, and actions taken since the incident. She responded to questions from Members concerning the wound inflicted, dog behaviourists opinion of future risks, dog training sessions, exercise habits and details of the incident.

The Animal Control Manager outlined the incident as accounted by witnesses. Staff responded to questions from Members concerning the menacing classification within the Dog Control Act, previous complaints for dogs on the property and details of the incident.

7. Resolution to Exclude the Public

Resolved: (Cr Wilson/Cr van Oosten)

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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

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

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of Dog Control Hearings Panel Public Excluded Minutes 28 July 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 disqualification from dog ownership - Ropata Marshall)	
C3. Objection to menacing		

classification - Taryn Van
Meygaarden

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

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	To maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment	Section 7 (2) (f)
Item C3.	To maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment	Section 7 (2) (f)

The meeting went into a public excluded session at 2:40pm

During the public excluded session the following were resolved to be released to the public:

Item C2: Objection to disqualification from dog ownership - Ropata Marshall

That the Dog Control Hearings Panel:

- a) receives the report;
- b) determines that the disqualification from dog ownership of Ropata Marshall is upheld for a period of 3 years; and
- c) approves the above decision be released to the public via these open minutes of this meeting.

Item C3: Objection to menacing classification - Taryn Van Meygaarden

That the Dog Control Hearings Panel:

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

The meeting was declared closed at 3:08pm