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## **Dog Control Hearings Panel**

### **He Koomiti Whiriwhiri I Ngaa Take Kuri**

### **OPEN MINUTES**

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**Minutes of a meeting of the Dog Control Hearings Panel held in Committee Room 1, Municipal Building, Garden Place, Hamilton on Wednesday 24 August 2022 at 12.00pm.**

#### **PRESENT**

**Chairperson** Cr Ewan Wilson

*Heamana*

**Members** Cr Maxine van Oosten  
Cr M Donovan

**In Attendance:** Kelvin Powell – City Safe Unit Manager  
Susan Stanford – Animal Control Manager  
Peter Crocker – Waikato District Council  
Shannon Eldridge - Tompkins Wake

**Governance Team:** Tyler Gaukrodger – Governance Advisor  
Arnold Andrews – Governance Officer

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**1. Apologies – *Tono aroha***

**Resolved:** (Cr Wilson/Cr Donovan)

That the apologies for absence from Crs O’Leary and Pascoe are accepted.

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

**Resolved:** (Cr Wilson/Cr Donovan)

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 4 June 2021**

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

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

**5. Objection to disqualification from dog ownership - Crystal Han**

Crystal Han and Martin Dillon (Barrister) spoke in opposition of Ms Han’s disqualification from dog ownership classification, outlined the additional evidence provided to the panel, previous noise complaints from neighbours, the timeline of infringement events and notices received, improvements made to the dogs welfare, timeline of dog ownership disqualification, dog housing

conditions, number of dogs on the property, dog control legislation, and the ability to exhibit dog ownership competency. They responded to questions from Members concerning the decision to not appeal previous infringement notices, the timeline of additional evidence, the timeline of dog impoundment, other dogs in the area, dog training, ownership and routine, the number of dogs on the property, and de-sexing of dogs.

The Animal Control Manager and Shannon Eldridge (Tompkins Wake) spoke to the report, noting additional evidence provided by the objector, the intent of dog control legislation, the timeline and reasons for infringement notices, moving out of Hamilton City Council jurisdiction, concern for animal welfare, and additional photo evidence provided by Waikato District Council. They responded to questions from Members concerning the timeline of the disqualification from dog ownership, seizure of the dogs, police involvement in the case, previous collaboration with Ms Han to improve animal welfare, and the number of dogs permitted in rural areas.

Peter Crocker (Waikato District Council) then spoke to the additional photo evidence provided by Waikato District Council concerning the timeline of additional evidence being collected, Waikato District Council Animal Control Officers visiting the property, and the living condition on the property.

Crystal Han and Martin Dillon (Barrister) spoke to police's decision to not pursue legal action, and the timeline of infringements. They responded to questions from Members concerning dog control legislation interpretation.

## 6. 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 the Dog Control Hearings Panel Public Excluded Minutes - 4 June 2021	) Good reason to withhold ) information exists under ) Section 7 Local Government ) Official Information and ) Meetings Act 1987	Section 48(1)(a)
C2. Objection to disqualification from dog ownership - Crystal Han	)	

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	Section 7 (2) (j)
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	information for improper gain or improper advantage	
Item 5	to maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment	Section 7 (2) (f) (ii)

**The meeting went into a Public Excluded session at 2.23pm.**

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

**Objection to disqualification from dog ownership - Crystal Han**

That the Dog Control Hearings Panel:

- a) receives the report; and
- b) determines that the disqualification from dog ownership of Crystal Han is upheld, noting that the disqualification from dog ownership is for a period of 3 years, effective from 8 March 2021; and
- c) approves the above decision be released to the public via these open minutes of this meeting.

**The meeting was declared closed at 2.48pm.**