# MINUTES

## Regulatory Hearings Panel meeting
## Monday, 11 May 2026

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**MINUTES OF TAURANGA CITY COUNCIL**
**REGULATORY HEARINGS PANEL MEETING**
**HELD AT THE TAURANGA CITY COUNCIL CHAMBERS, L1, 90 DEVONPORT ROAD, TAURANGA**
**ON MONDAY, 11 MAY 2026 AT 10.50 AM**

| | |
|---|---|
| **MEMBERS PRESENT:** | Mr Alan Tate (Chair), Ms Mary Hill, Mr Brent Lincoln, Ms Amy Robinson. |
| **IN ATTENDANCE:** | Deidre Ewart (Head of Regulatory Support & Compliance Services), Oscar Glossop (Team Leader: Animal Services), Pat Hellier (Senior Animal Services Officer), Stephanie Sweeney (Animal Services Officer), Sarah Holmes (Team Leader: Governance & CCO Support Services), Caroline Irvin (Governance Advisor) |
| **EXTERNAL:** | Objectors as listed in the minutes. |

The meeting started at 10.50am to allow the panel to go into public excluded to discuss a matter.

## 1 OPENING KARAKIA

A karakia was provided earlier at the panel's induction session.

## 2 APOLOGIES

Nil

## 3 CONFIRMATION OF MINUTES

### 4.1 Minutes of the Regulatory Hearings Panel meeting held on 1 April 2026

### RECOMMENDATIONS

That the Minutes of the Regulatory Hearings Panel meeting held on 1 April 2026 be confirmed as a true and correct record.

Chair Alan Tate moved the minutes and advised there would be no seconder to the motion as there were no previous panel members on the new panel to do this. The minutes were taken as confirmed.

## 4 DECLARATION OF CONFLICTS OF INTEREST

Ms Mary Hill declared a conflict with item 5.2: Regulatory Hearings Panel Report - Objection to menacing classifications - Michael Stocks & Tanya Drummond, and would take no part in the matter, but would stay in the room to observe.

At 10.52am the Chair advised the panel would go into public excluded.

## RESOLUTION TO EXCLUDE THE PUBLIC

### COMMITTEE RESOLUTION RHP/26/0/1

Moved: Chair Alan Tate
Seconded: Member Brent Lincoln

That the public be excluded from the following parts of the proceedings of this meeting at 10.52am.

The general subject matter 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 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48 for the passing of this resolution |
|---|---|---|
| **Confidential Attachment 3 - 5.4 - Regulatory Hearings Panel Report - Objection to Barking Abatement - Nicholas Dibley** | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |

**CARRIED**

At 10.59am the meeting resumed in open.

## 5 BUSINESS

### 5.1 Regulatory Hearings Panel Report - Objection to menacing classification – Riley Williamson

**Staff** Oscar Glossop, Team Leader: Animal Services

**Key points**

- The objector advised on the morning of the hearing they were not able to attend in person but provided a further statement per email and confirmed that this could be used by the panel to deliberate and make a decision.
- The Team Leader: Animal Services spoke to his report and provided responses to questions.

**In response to questions**

- There was no legislative ability to require ongoing use of an electronic collar as a condition instead of muzzling.
- Once imposed, a menacing classification required the dog to be muzzled in public for life, as there was no statutory process to rescind a menacing classification under the Dog Control Act 1996 (the Act).

- While videos provided by the owner showed recall and training in controlled situations, these did not address the risk posed by the dog's prey drive, particularly in fast-moving or unanticipated situations.

**Discussion points raised**

The Panel discussed:

- The circumstances of the incident, the use and limitations of electronic training collars, the human ability to intervene in fast-moving prey-drive incidents, the distinction between ownership and control, the range of enforcement options available under the Act, and the owner-provided evidence.

## 5.2 Regulatory Hearings Panel Report - Objection to menacing classifications - Michael Stocks & Tanya Drummond

**Staff** Oscar Glossop, Team Leader: Animal Services

**Key points**

- The Team Leader: Animal Services spoke to his report and provided responses to questions.

**In response to questions**

- Two of the objectors' dogs met the statutory criteria for menacing by deed, as they were involved in a domestic animal attack that resulted in serious injuries and the later euthanasia of one of the complainant's dogs.
- No independent witnesses had been identified, and that the investigation relied on signed statements, veterinary evidence, injury severity, and scene analysis.
- It was concluded all three of the objectors' dogs were involved, noting that the objectors' accounts did not explain the extent or location of injuries.
- The case law definition of an attack under section 57 of the Act was physical contact. The Act did not recognise self-defence or defensive behaviour by dogs as an exemption.
- The dog 'Frank' had already been classified as menacing at the time of the incident and was not muzzled, contrary to statutory requirements.
- Veterinary evidence documented serious bite injuries to both of the complainant's dogs. One dog was euthanised later the same day due to the severity of its injuries.
- The incident was not captured on CCTV at Rotary Park.
- Carrying leads and having collars available did not equate to effective control, particularly when dogs were already roaming freely in a public place.

**Objectors -** Mr Michael Stocks and Ms Tanya Drummond

**Key points**

- Ms Drummond and Mr Stocks arrived at Rotary Park on 1 March 2026 and did not see anyone else present when they released their dogs from their vehicle.
- Shortly after arriving, the complainant began yelling warnings that his dog was "going to start a fight", at which point one of the complainant's dogs approached their dogs and initiated the incident.
- The complainant's dogs were off-lead, without collars or leads, and he had no physical means of intervening, relying only on verbal warnings. As such his dogs were not under his control.
- After the incident, Mr Stocks picked up one of the complainant's dogs and handed it back, at which point the dog bit the complainant on the chin. The objectors felt this demonstrated aggression by the complainant's dog.

- Ms Drummond and Mr Stocks did not believe Council involvement was necessary at the time, as the dogs appeared unharmed and the complainant was already distressed and had been injured by his own dog.
- The dogs Billy and Zia had no prior history of aggression and had used the park regularly without incident. Supporting emails had been provided attesting to the dogs' temperament and behaviour.
- The dog Frank was subject to an existing menacing classification from a previous incident, and it was accepted that he should have been muzzled and, on a lead, however, he was not involved in the fight.

**In response to questions - Ms Tanya Drummond**

- Ms Drummond reiterated that when they arrived at the park they did not see any other dogs and the incident happened when the complainants dog approached their dogs and launched at the dog Frank, initiating the incident.
- The dog Frank was classified as menacing, and it was accepted that he should have been muzzled and on a lead. However, he was not involved in the fight.

**In response to questions – Mr Michael Stocks**

- Mr Stocks was extremely surprised and distressed that the matter had progressed to a Regulatory Hearings Panel hearing. The incident at Rotary Park was brief and chaotic, his focus at the time was on separating the dogs and de-escalating the situation, rather than observing every detail of the altercation.
- He intervened physically by picking up one of the complainant's dogs and handing it back to him during which time the dog bit the complainant on the chin and briefly hung from his face. This led Mr Stocks to believe the complainant's dog was highly aggressive and explained why the complainant had earlier been yelling warnings about his dog starting a fight.
- The dog Billy was not involved in the altercation.
- Following the incident, the complainant photographed their dogs, vehicle, and both owners. Mr Stocks attempted to calm the complainant down, assist him, and behave reasonably given the circumstances.
- At the time of the incident, none of their dogs appeared injured, and he questioned how the extent of injuries later reported, including the euthanasia of one dog, could have occurred during the brief encounter he observed.
- The incident was not reported to Council, as they believed it was minor, short-lived, and that the complainant was already in shock and distress.
- He believed the Council's account did not fairly reflect what occurred, and that the consequences of the classifications would have a serious and unjustified impact on their dogs.

**Team Leader: Animal Services - responses to objectors**

- Any physical contact constituted an attack for the purposes of enforcement under section 57 of the Act.
- Animal Services had concluded all three dogs were involved. The outcome of the attack, including severe injuries and the euthanasia of one dog, demonstrated that it was a serious dog-on-dog attack, regardless of duration.
- Any lack of control by the complainant did not negate the obligations on the objectors to control their own dogs, nor did it remove the risk posed by the dogs' behaviour.

**Discussion points raised**

The Panel discussed:

- The likelihood of multiple dogs becoming involved in a dog-on-dog altercation, noting that dogs often act collectively during fights, which was relevant to assessing involvement.
- The serious consequences because of the incident, including the severity of injuries and euthanasia of one dog, as a significant factor in their consideration.

The Chair advised item 5.4 would be taken before item 5.3.

### 5.4 Regulatory Hearings Panel Report - Objection to Barking Abatement - Nicholas Dibley

**Staff** Oscar Glossop, Team Leader: Animal Services

**Key Points**

- The Team Leader: Animal Services spoke to his report and provided responses to questions.

**In response to questions**

- The volume and consistency of complaints over time supported the conclusion that barking remained an issue.
- The barking was assessed as loud, persistent, and causing a private nuisance, based on officer observations and evidence including video recordings from complainants.
- Neighbour disputes did not negate the existence of a nuisance. Other neighbours may be reluctant to raise concerns directly despite being affected.
- An electronic bark collar was the most effective method to address nuisance barking quickly and reliably.
- Animal Services had a responsibility to act where barking affected neighbours' use and enjoyment of their property, even where complainants preferred not to be identified.

**Animal Services Officer - on site visit testimony**

The Animal Services Officer:

- Confirmed she personally attended the property and remained for approximately 10–15 minutes and observed that the dog barked intermittently but for most of the time she was present, indicating a repetitive pattern rather than isolated barking.
- Moved around neighbouring properties during the visit and the barking was clearly audible from a distance, estimating it could be heard from approximately 30–40 metres away and reiterated the dog continued barking even when it could not see her, suggesting the behaviour was not solely reactive to her attendance..
- She confirmed she also spoke with neighbours, including at least one individual who was not an official complainant, who nevertheless identified barking as an issue.

**Objector** Mr Nicolas Dibley

**Key points**

Mr Dibley:

- Denied that his dog's barking was persistent or a nuisance, stating that the dog only barked in response to stimuli, such as people approaching the property which was consistent with the dog's role as a guard/protection dog, and was therefore appropriate behaviour rather than problematic.
- Maintained that the complaints were largely driven by a neighbour dispute.
- Stated that in previous investigations, neighbour feedback did not support the existence of a barking problem.
- Objected to the requirement for an electronic bark collar, describing it as cruel and inappropriate.
- Did not accept that the barking required management and therefore was not willing to adopt alternative control measures, including training or collar use.

**In response to questions**

- Mr Dibley reiterated that his dog's role was home protection, but denied that its barking was persistent or excessive, describing it as normal reactive barking rather than ongoing nuisance behaviour. He maintained that it was not continuous or long-lasting, and disputed claims that it significantly impacted neighbours, including sleep disturbance.
- Mr Dibley worked full time, was often away during the day, and returned home at lunchtime when he could, with the dog left alone on the property when he was absent.

**Team Leader: Animal Services - responses to objectors**

- The evidence demonstrated loud and persistent barking, meeting the statutory threshold for a nuisance under the Act.
- Recent complaints included independent parties, and video evidence confirmed the impact of the barking. Historical patterns of complaints and continued reports indicated the issue had not been resolved over time. Persistent or repeated barking that impacted neighbours was not acceptable, regardless of its purpose.

**Discussion points raised**

The Panel discussed:

- The extent and nature of the barking, the distinction between acceptable barking (e.g. at intruders) and unacceptable persistent barking, how barking control measures operated, the impact of the dog's environment, the tension between neighbour relationships and the complaint evidence.

### 5.3 Regulatory Hearings Panel Report - Appeal to retention of dogs threatening public safety – Muriwai Popata-Kaitoa

The chair noted that, as there was no appearance by the objector Muriwai Popata-Kaitoa, the Panel was unable to proceed with this application.

The objector would be contacted to confirm whether they wished to seek another hearing date.

## 6 PUBLIC EXCLUDED SESSION

**Resolution to exclude the public at 12.50pm**

### COMMITTEE RESOLUTION RHP/26/0/2

Moved: Chair Alan Tate
Seconded: Member Amy Robinson

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter 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 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

| General subject of each matter to be considered | Reason for passing this resolution in relation to each | Ground(s) under section 48 for the passing of this resolution |
|---|---|---|

| | matter | |
|---|---|---|
| **6.1 - Public Excluded Minutes of the Regulatory Hearings Panel meeting held on 1 April 2026** | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| **Confidential Attachment 6 - 5.1 - Regulatory Hearings Panel Report - Objection to menacing classification – Riley WILLIAMSON** | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| **Confidential Attachment 7 - 5.1 - Regulatory Hearings Panel Report - Objection to menacing classification – Riley WILLIAMSON** | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| **Confidential Attachment 8 - 5.1 - Regulatory Hearings Panel Report - Objection to menacing classification – Riley WILLIAMSON** | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| **Confidential Attachment 9 - 5.1 - Regulatory Hearings Panel Report - Objection to menacing classification – Riley WILLIAMSON** | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| **Confidential Attachment 10 - 5.1 - Regulatory Hearings Panel Report - Objection to menacing classification – Riley WILLIAMSON** | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| **Confidential Attachment 4 - 5.2 - Regulatory Hearings Panel Report - Objection to menacing classifications - Michael STOCKS & Tanya** | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural | s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist |

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| **DRUMMOND** | persons, including that of deceased natural persons | under section 6 or section 7 |
| **Confidential Attachment 5 - 5.2 - Regulatory Hearings Panel Report - Objection to menacing classifications - Michael STOCKS & Tanya DRUMMOND** | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| **Confidential Attachment 6 - 5.2 - Regulatory Hearings Panel Report - Objection to menacing classifications - Michael STOCKS & Tanya DRUMMOND** | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| **Confidential Attachment 7 - 5.2 - Regulatory Hearings Panel Report - Objection to menacing classifications - Michael STOCKS & Tanya DRUMMOND** | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| **Confidential Attachment 3 - 5.4 - Regulatory Hearings Panel Report - Objection to Barking Abatement - Nicholas Dibley** | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| **5.1 – Deliberations – Riley Williamson** | To enable the Panel to deliberate in private on the objections heard. | s48(1)(d)<br>That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in any proceedings before a Council where the Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings. |
| **5.2 – Deliberations – Tanya Drummond & Michael Stocks** | To enable the Panel to deliberate in private on the objections heard. | s48(1)(d)<br>That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in any proceedings before a Council where the Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings. |

| | | |
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| **5.3 – Deliberations – Muriwai Popata-Kaitoa** | To enable the Panel to deliberate in private on the objections heard. | s48(1)(d)<br>That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in any proceedings before a Council where the Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings. |
| **5.4 – Deliberations – Nicolas Dibley** | To enable the Panel to deliberate in private on the objections heard. | s48(1)(d)<br>That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in any proceedings before a Council where the Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings. |

**CARRIED**

At 1.54pm the meeting resumed in open.

## 5 BUSINESS CONTINUED IN OPEN

### 5.1 Regulatory Hearings Panel Report - Objection to menacing classification – Riley Williamson

**COMMITTEE RESOLUTION RHP/26/0/3**

Moved: Chair Alan Tate
Seconded: Member Amy Robinson

That the Regulatory Hearings Panel:

(a) Receives the report "Regulatory Hearings Panel Report - Objection to menacing classification – Riley Williamson".

(b) Upholds the menacing classification.

(c) Attachment 6, 7, 8 , 9 and 10 to remain in public excluded. This is to protect the privacy of natural persons as per Section 7(2)(a), Local Government Official Information and Meetings Act 1987.

**CARRIED**

### 5.2 Regulatory Hearings Panel Report - Objection to menacing classifications - Michael Stocks & Tanya Drummond

**COMMITTEE RESOLUTION RHP/26/0/4**

Moved: Chair Alan Tate
Seconded: Member Amy Robinson

That the Regulatory Hearings Panel:

(a) Receives the report "Regulatory Hearings Panel Report - Objection to menacing classifications - Michael Stocks & Tanya Drummond".

(b) Rescinds the classifications for both dogs if not satisfied the statutory threshold is met for both dogs.

(c) Attachment 4, 5, 6 & 7 To remain in public excluded. This is to protect the privacy of natural persons as per Section 7(2)(a), Local Government Official Information and Meetings Act 1987.

**CARRIED**

### 5.3 Regulatory Hearings Panel Report – Appeal to retention of dogs threatening public safety – Muriwai Popata-Kaitoa

This item was not addressed due to the Applicant’s non-attendance.

### 5.4 Regulatory Hearings Panel Report - Objection to Barking Abatement - Nicholas Dibley

**COMMITTEE RESOLUTION RHP/26/0/5**

Moved: Chair Alan Tate
Seconded: Member Amy Robinson

That the Regulatory Hearings Panel:

(a) Receives the report "Regulatory Hearings Panel Report - Objection to Barking Abatement - Nicholas Dibley".

(b) That the Regulatory Hearings Panel confirms the Barking Abatement Notice issued on 12 March 2026.

(c) The attachments 3 & 4 are to remain in the public excluded section. This is to protect the privacy of natural persons as per Section 7(2)(a), Local Government Official Information and Meetings Act 1987.

**CARRIED**

## 7 CLOSING KARAKIA

Panel member Mary Hill closed the meeting with a karakia.

**The meeting closed at 1.55pm.**

**The minutes of this meeting were confirmed as a true and correct record at the Regulatory Hearings Panel meeting held on 3 August 2026.**