AGENDA

Regulatory Hearings Panel meeting
Monday, 20 July 2026

I hereby give notice that a Regulatory Hearings Panel meeting will be held on:

Date: **Monday, 20 July 2026**

Time: **9:30 am**

Location: **Tauranga City Council Chambers**
L1, 90 Devonport Road
Tauranga

Marty Grenfell
Chief Executive

Terms of reference – Regulatory Hearings Panel

Membership

Chair	Alan Tate
Deputy Chair	Mary Hill
Members	Puhirake Ihaka Amy Robinson Brent Lincoln
Hearings	Four members to be invited to each hearing on a rotating basis (i.e. Hearing 1, members A, B, C, and D; Hearing 2, members B, C, D and E; Hearing 3, members c, D, E and A; and so on). If one of the four members is unavailable, the fifth member will then be invited. This will not affect the future rotation pattern.
Quorum	At least two members
Meeting frequency	As required

Role

- To conduct hearings and make decisions of a quasi-judicial nature on regulatory matters through specific hearings and decision-making.

Scope

Regulatory matters

- To conduct hearings and make decisions of a quasi-judicial nature on behalf of the Council on any regulatory matter that the Council is legally:
    - empowered or obligated to hear and determine;
    - permitted to delegate to a subordinate decision-making body of Council under the Local Government Act 2002, or any other Act.
- To exercise this function in accordance with:
    - the applicable legislation;
    - the Council's corporate strategies, policies, plans and bylaws; and
    - the principles of administrative law and natural justice.
- Regulatory matters include (but are not limited to):
    - dog control matters;
    - matters arising from the exercise of Council's enforcement functions; and
    - regulatory matters that require a hearing under Council's policies (including, without limitation, Council's Gambling Venues Policy) and bylaws.

Matters excluded from scope

- The following are excluded from the scope of the Regulatory Hearings Panel:
    - matters relating to the sale and supply of alcohol;

- matters under the Resource Management Act 1991; and
- matters the Council is precluded from delegating to a subordinate decision-making body by the Local Government Act 2002, or any other Act.

Power to act

Regulatory matters

- All powers, duties and discretions necessary to conduct hearings and make decisions of a quasi-judicial nature on behalf of the Council on any regulatory matter that the Council is legally empowered or obligated to hear and determine, including (but not limited to):
  - All powers, duties and discretions necessary to hear and make decisions on behalf of the Council in respect of any matter that the Council is empowered or obligated to hear and determine under the Dog Control Act 1996, the Local Government Act 2002, the Local Government Act 1974 and any regulatory matters that require a hearing under Council's policies and bylaws.
- For the avoidance of doubt, the above delegation includes authority to hear and make decisions on appeals under Council's Gambling Venues Policy, including to decline an application to appeal.
- The power to establish and amend hearings protocols relating to the general conduct of hearings and hearings related matters in accordance with the applicable legislation and the principles of administrative law and natural justice.
- The power to co-opt expert advice on an as required basis.

Matters excluded from power to act

- For the avoidance of doubt, the Regulatory Hearings Panel does not have the power to hear:
  - matters relating to the sale and supply of alcohol;
  - matters under the Resource Management Act 1991; or
  - matters that the Council is precluded from delegating to a subordinate decision-making body by the Local Government Act 2002, or any other Act.

Power to recommend

- The Regulatory Hearings Panel is unlikely to need to make recommendations to the Council as it has the power to conduct hearings and make decisions of a quasi-judicial nature on behalf of Council as per its powers to act. However, the Panel may make recommendations to the Council if, in the circumstances of a matter, it considers it appropriate to do so.

Note:

The Regulatory Hearings Panel is established as a subordinate decision-making body of Council and delegated the powers specified in its Terms of Reference under clauses 30 and 32 of Schedule 7 Local Government Act 2002 respectively. It is not a committee or subcommittee of Council.

Regulatory Hearings Panel

Summary of hearings procedure

Who is involved in a hearing?

- Regulatory Hearings Panel – these are independent persons who make the decision
- Tauranga City Council staff – staff who write the report and attend the hearing
- Applicant/objector or their representative – those who will present their evidence
- Witnesses/experts – called by staff or applicant/objector

What happens before the hearing?

- The applicant/objector will be given at least seven days' notice of the date, time and place of the hearing.
- An agenda with the staff report and any documents will be sent to the panel members and the applicant/objector before the hearing.
- The applicant/objector can organise evidence and call witnesses in support of their application/objection.
- If the applicant/objector can't be present at the hearing they can organise a representative to attend on their behalf.

What happens at the hearing?

- The hearings will be conducted without a lot of formality and will make sure that all parties and witnesses receive a fair hearing.
- Staff will present Council's case (including evidence and any witnesses) in support of its decision that is the subject of the application/objection.
- The applicant/objector presents their case (including any evidence and any witnesses).
- Council staff have a right of reply but can't submit any new evidence or call any further witnesses.
- The chairperson and panel members may ask questions from any party or witness.
- Other persons may ask the chairperson to put a question to any party or witness on their behalf but that is at the discretion of the chairperson as to whether the question is put.
- No cross examination is permitted.
- The chairperson's rulings on any matter is final.
- The hearing is generally open to the public unless there is good reason to have the hearing with the public excluded.

What happens after the hearing?

- The panel will usually deliberate in private immediately after the hearing and make their decision.
- The panel may, but is not required to, deliver its decision in the open section of a meeting. A notice of decision will be given (or sent) in writing to the applicant/objector as soon as practicable after the panel has made its decision.
- The chairperson will then close the hearing.
- If the chairperson has allowed further information to be provided before the hearing is closed, then the hearing will be adjourned, and the panel will reserve its decision until it has considered the further information.
- Where the applicant/objector has a right to appeal the panel's decision, that will be advised in writing.
- No discussions or communication of any kind will happen outside of the hearing between the panel, the parties or witnesses until a decision is issued, including during any site visits, adjournment or break.
- Minutes of the meeting will be kept as evidence of the hearing.

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1 OPENING KARAKIA

2 APOLOGIES

3 DECLARATION OF CONFLICTS OF INTEREST

4 CONFIRMATION OF MINUTES

4.1 Minutes of the Regulatory Hearings Panel meeting held on 11 May 2026

File Number: **A20705839**

Author: **Caroline Irvin, Governance Advisor**

Authoriser: **Sarah Holmes, Team Leader: Governance & CCO Support Services**

RECOMMENDATIONS

That the Minutes of the Regulatory Hearings Panel meeting held on 11 May 2026 be confirmed as a true and correct record.

ATTACHMENTS

1. **Minutes of the Regulatory Hearings Panel meeting held on 11 May 2026**

DRAFT MINUTES

Regulatory Hearings Panel meeting
Monday, 11 May 2026

UNCONFIRMED

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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.

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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).

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- 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.

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- 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.

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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.

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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.

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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) 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) 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.

UNCONFIRMED

5.3 – Deliberations – Muriwai Popata-Kaitoa	To enable the Panel to deliberate in private on the objections heard.	s48(1)(d) 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) 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

UNCONFIRMED

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

UNCONFIRMED

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.

UNCONFIRMED

5 BUSINESS

5.1 Regulatory Hearings Panel Report - Appeal to retention of dogs threatening public safety – Muriwai POPATA-KAITOA

File Number: **A20187846**

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

Authoriser: **Sarah Omundsen, General Manager: Regulatory and Community Services**

UNCONFIRMED

PURPOSE OF THE REPORT

1. To consider an application under section 71(4) of the Dog Control Act 1996 (**the Act**) from Muriwai Popata-Kaitoa, for the release of her dogs Sasha and Blue.e which are currently retained by Tauranga City Council pending prosecution.

RECOMMENDATIONS

That the Regulatory Hearings Panel:

(a) Receives the report "Regulatory Hearings Panel Report - Appeal to retention of dogs threatening public safety – Muriwai POPATA-KAITOA".

(b) After considering whether it is satisfied that the release of the dogs would not threaten public safety under section 71(5) of the Dog Control Act 1996, resolves to either:

(i) **Uphold** the retention of both dogs pending prosecution **(Recommended)**; or

(ii) Grant the **release** of **one** of the dogs pending prosecution, subject to any lawful conditions, and retain the other.

(iii) Grant the **release** of **both** of the dogs pending prosecution, subject to any lawful conditions.

EXECUTIVE SUMMARY

2. The Appellant Muriwai POPATA-KAITOA is the owner of the dogs Sasha, a three-and-a-half-year-old Rottweiler, and Blue.e, a 4-year-old Staffordshire Bull terrier Cross. These dogs are retained under section 71, Dog control Act, pending prosecution for three charges arising from a serious dog attack on people and stock on 14 November 2025.

BACKGROUND

3. **Circumstances**
On Friday 14th November 2025, at approximately 2:55pm, the Appellant was walking from Gordon Spratt Reserve along Parton Road, Papamoa, heading towards Te Puke with her partner at the time and their 3 dogs each.
4. All six dogs were off lead at the time.
5. They entered the shared carpark of several businesses on the corner of Tara Road and Parton Road, including a dentist, medical centre, pharmacy, physiotherapist, Flooring Xtra, NZ post outlet and a daycare centre.

6. **Section 57 – Attack on the Appellant**

A confrontation occurred between the Defendants and a male motorist. This escalated into a physical altercation between the motorist and the Appellant's partner.

7. The Appellant joined in the physical altercation as the motorist returned to his vehicle.

8. During the altercation, the dog Sasha attacked the Appellant, biting her multiple times and causing numerous injuries, including deep puncture wounds to both sides of her upper right arm. (Attachment)

9. **Section 57 – Attack on the Victim**
The Victim was driving past after collecting his daughter from daycare. He witnessed the attack on the Appellant and stopped to assist.

10. While attempting to stop the attack, the Victim pulled the dog Sasha away from the Appellant. The Victim was bitten by the dog Sasha on his left wrist, causing a laceration requiring immediate medical treatment and stiches. (Attachment)

11. After several minutes, both the Appellant and her partner began walking back towards Gordon Spratt Reserve, followed by only four of their six dogs.

12. The Appellant's partner hid the dog Sasha by tying her in some bush on the edge of Gordon Spratt Reserve.

13. **Section 57 – Attack on Cattle**
Shortly afterwards, at approximately 3:06 pm the dog Blue.e entered the adjacent paddock at 23 Alice Lane, Papamoa.

14. The dog Blue.e proceeded to chase and attack three cattle, biting and attempting to bite them. One cow sustained a laceration to the face. (Attachment)

15. **Previous attack days earlier**
At the conclusion of this incident, it was noted by police that the Appellant's partner had severe wounds, consistent with being bitten by a dog.

16. When questioned about these wounds, the Appellant explained that her partner had received these wounds after being attacked by the dog Sasha whilst in Whangarei some days earlier. The Appellant provided a photograph of the wounds to her partner. (Attachment)

17. Animal Services investigated and identified that this previous attack had never been reported, despite hospitalisation being required.

18. **Seizure and retention**
All six dogs were seized. The initial fees were paid within the statutory timeframe, and the owners were subsequently issued notice under section 71 of the Act which explains the retention of the dogs due to public safety pending prosecution.

19. Animal Services received an appeal to the retention of the dogs on 10 April 2026 (after the advocate seemingly forgot to include council in an earlier email.)

20. After review of the evidence and filing of charges, alternative enforcement and compliance action has been decided for the other four dogs. Animal Services is no longer retaining the other four dogs due to the prosecution no longer relating to them.

21. **Prosecution**
The Appellant faces three charges of owning a dog that attacked under Section 57 of the Act relating to the attacks by Blue.e and Sasha. Animal Services considers a reasonable prospect of conviction. Upon conviction for an attack, if the court is satisfied that the dog has

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committed an attack the court must make an order for the destruction of the dog except in exceptional circumstances. Compulsory destruction orders upon conviction show the intention of the Act to keep the community safe from aggressive dogs.

22. The Appellant is also on bail for police charges arising from the same incident, with a current bail condition not to possess dogs.

23. **Assessment under section 71(5) – Public Safety**

Under section 71(5) of the Act, the Panel must be satisfied that the release of Sasha and/or Blue.e at this time would **not threaten the safety** of any person, stock, poultry, domestic pet, or protected wildlife. In assessing this, the Panel may have regard to:

(a) Both dogs involvement in attacks resulting in bites to victims and stock.

(b) The nature of these attacks and the serious injuries caused.

(c) The owner's repeated failure to control these dogs.

(d) Any evidence provided in support of the application.

24. The application requires a forward-looking assessment of risk, regardless of the eventual outcome of the prosecution.

STATUTORY CONTEXT

25. The Dog Control Act 1996 stipulates functions, duties and powers conferred on Territorial Authorities, such as Tauranga City Council, to facilitate the objects of the Act.

26. This report references several sections of the Dog Control Act 1996 which prescribe obligations and provisions:

(a) Section 71, Retention of a dog threatening public safety.

(b) Section 57, Dogs attacking persons or animals.

27. The Tauranga City Council Regulatory Hearings Panel has authority to make decisions by way of delegation as per the Local Government Act 2002.

STRATEGIC ALIGNMENT

28. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	☐
We are a well-planned city that is easy to move around	☐
We are a city that supports business and education	☐
We are a vibrant city that embraces events	☐

29. The continued retention of dogs involved in serious attacks aligns with Tauranga City Council's strategic objectives of protecting public safety, reducing harm, and promoting responsible dog ownership through proportionate enforcement.

OPTIONS ANALYSIS

Under section 71(5) of the Act, the Panel must be satisfied that the release of Sasha and/or Blue.e at this time would **not threaten the safety** of any person, stock, poultry, domestic pet, or protected wildlife. The Panel may:

(iv) **Uphold** the retention of **both** dogs pending prosecution **(Recommended)**; or

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(v) Grant the grant the **release** of **one** of the dogs pending prosecution, subject to any lawful conditions, and retain the other.

(vi) Grant the grant the **release** of **both** of the dogs pending prosecution, subject to any lawful conditions.

FINANCIAL CONSIDERATIONS

30. Release of one or both of the dogs would be subject to statutory requirements to pay outstanding fees.

31. There are no other financial implications considered relevant to this decision.

LEGAL IMPLICATIONS / RISKS

32. Evidence relating to Sasha and Blue.e is supported by CCTV footage, photographs and witness statements.

33. Care must be taken to ensure the Panel's decision is confined to section 71 risk considerations and does not pre-empt criminal proceedings.

TE AO MĀORI APPROACH

34. This is a regulatory enforcement matter. No additional Te Ao Māori considerations have been identified beyond ensuring lawful, fair, and respectful process.

CONSULTATION / ENGAGEMENT

35. Engagement has been limited to statutory notifications and correspondence with witnesses, the dog owners and their advocate.

SIGNIFICANCE

36. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.

37. In making this assessment, consideration has been given to the likely impact, and likely consequences for:

(a) the current and future social, economic, environmental, or cultural well-being of the district or region

(b) any persons who are likely to be particularly affected by, or interested in, the decision.

(c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

38. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of medium significance.

ENGAGEMENT

39. Taking into consideration the above assessment, that the decision is of medium significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

40. Following the hearing, the Panel's decision will be formally notified to the Appellant. Any release and ongoing compliance or enforcement actions will be undertaken in accordance with the final determination.

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ATTACHMENTS

1. **Appeal Letter 1 - A20218520**
2. **Appeal Letter 2 - A20218788**
3. **Map of incident - A20218563**
4. **Photo of Appellant's Injuries 1 - A19388098**
5. **Photo of Appellant's Injuries 2 - A19388084**
6. **Photo of Appellant's Injuries 3 - A19388094**
7. **Photo of Victim's Injuries - A19388086**
8. **Photo of Appellant's Partner Previous Attack Injuries - A19388079**
9. **Section 71 Letter - A20218919**

UNCONFIRMED

From: **Hinerangi Waipouri** [redacted]
Date: Mon, 24 Nov 2025, 11:07 am
Subject: Formal Objection Under Section 71 – Request for Immediate Review & Release of Dogs: Blu.e Popata [redacted], Shadows Popata [redacted] & Sasha Popata
To: [redacted]

Attn: Team Leader – Animal Services / Animal Management

Tēnā koutou,

I write as the Support Advocate for [redacted] and Muriwai Popata, regarding the seizure of their dogs Blu.e Popata [redacted], Shadows Popata [redacted], and Sasha Popata on 14/11/25, with notices issued on 16–18/11/25.

This email formally registers an objection under Section 71 of the Dog Control Act 1996 to the dogs being held pending prosecution and the decision made to euthanise them.

This objection is being made within the required statutory timeframe and prior to the 7-day deadline.

1. Grounds for Objection – Summary of Key Facts

A. <u>The incident involved a third party aggressor</u> — not the dogs

Based on the owner's prior written statement provided to Council:

▪ A male aggressively approached and charged at the couple, sparking the situation.

▪ Blu.e gave a warning nip when the male lunged at the whānau.

▪ The male continued charging, leading to a second nip.

▪ These behaviours align with protective instinct, not unprovoked aggression.

B. <u>The dogs did NOT attack any random person, child, or member of the public</u>

No dogs ran loose attacking strangers.

No dog pursued anyone beyond the initial altercation.

No bystanders were harmed.

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C.Sasha's injury to the owner was accidental

Sasha attempted to protect the female owner when the male grabbed her by her shirt.

Sasha bit the shirt and accidentally caught skin during the struggle.

This aligns with Section 5(1) of the Act, which recognises:

Incidental or accidental injury occurring during restraint attempts does not constitute a menacing or dangerous dog offence.

D. One dog (Shadows) was inside the car the entire time

- Shadows never left the vehicle.
- Shadows did not act aggressively.
- Shadows was still seized without justification, breaching the Act's requirement for reasonable grounds for seizure.

E. Dogs were seized despite their leads being lost in the chaos

The owners and their whānau were chased, panic occurred, and leads were lost due to the crowd running after the dogs. This contributed to the dogs temporarily being loose, but not malicious behaviour.

F. There is evidence of significant misinformation

[redacted] **reports that:**

- The news article misreported events.
- The dogs' behaviour was misinterpreted.
- Council has made administrative errors, including:
- Inconsistent names,
- Unclear processing,
- Failure to provide officer names when requested.

This raises concerns about procedural fairness.

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2. Relevant Legal Grounds – Why Release Must Be Considered

A. Section 71 – Right to Object

Owners have the right to object to dogs being held pending prosecution once fees are paid.

This objection is being made in writing, as required.

B. Section 52 – **Owner Obligation & Improvements**

Owners have expressed full willingness to comply with:

▪ Registration

▪ Microchipping

▪ Containment requirements

▪ Training conditions

▪ Re-homing conditions if required

They have not previously been in trouble with Council.

C. Section 55 – Provocation Defence

Where a dog reacts to:

☆ Threatening behaviour,

☆ Violence,

☆ Trespass, or

☆ Aggression from a human,

the law recognises that the dog's behaviour may be provoked.

This situation clearly involved provocation.

D. Section 57A – Dangerous Dog Applications Require Strong Proof

A dog cannot be ordered for destruction unless:

▪ It poses continuing danger to the public, AND

▪ Less severe measures are insufficient.

The dogs in this case:

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▪ Have no prior history,

▪ Were protecting their owners,

▪ Have never bitten or threatened anyone outside this one situation,

▪ Are described as extremely loyal, gentle, and well-behaved pets.

E. Section 64 – Council Duty to Consider All Circumstances

Council must consider:

▪ Nature of incident

▪ Level of provocation

▪ Dog's past behaviour

▪ Steps owners can take to prevent risk

▪ Disability / health context of owners and their whānau

▪ Whānau dependence on the dogs for emotional wellbeing

Owners have made clear commitments to comply with all conditions.

F. Procedural fairness (Administrative Law Principles)

Council must ensure:

☆ Transparency

☆ Clear communication

☆ Identification of responsible officers

☆ Accuracy of notices

☆ Opportunity to be heard before extreme decisions

The rushed decision to euthanise breaches the right to fair administrative process.

3. Whānau Vulnerability & Disability Considerations

A. Medical & mental health vulnerabilities of the whānau

▪ One whānau member suffers from schizophrenia and depression.

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Sasha is her primary emotional support animal — the only stable support she has.

▪ The whānau have been in and out of hospital recently.

▪ Stress and trauma manifest significantly without their dogs.

Under the Health and Disability Code, Council must consider:

▪ The right to be supported,

▪ The right to minimise harm,

▪ The impact of removal on mental health stability.

B. The dogs are part of a therapeutic support system

These animals provide:

+ Stability

+ Emotional regulation

+ Companionship

+ Safety reassurance

The Dogs' removal has had catastrophic emotional impact.

4. Whānau Explanation for Administrative Issues

The whānau explain:

▪ They were travelling to return one dog to Wellington.

▪ Their car overheated.

▪ They have been dealing with hospital admissions.

▪ They have not yet updated all jurisdictional or registration details due to the chaos and medical setbacks.

These are mitigating factors, not criminal disregard.

5. Requests to Animal Management

We request:

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1. Immediate pause on the euthanasia decision

Pending the outcome of the formal objection & hearing.

2. A Section 71 Objection Hearing

Before an independent panel, as the law requires.

3. Full breakdown of fees required for release

Including:

- Seizure fees
- Pound fees
- Registration
- Microchipping
- Any other outstanding fees

4. Copies of:

- All statements held on file
- Bodycam footage (if any)
- Photographs
- Incident reports
- Officer name(s) and designation(s)

5. Consideration of release with conditions

Such as:

- Containment requirements
- Muzzle in public
- Mandatory dog training
- Behavioural assessment
- Secure fencing

The whānau agree to every single condition required.

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6. Conclusion

These Fur whānau:

- Were not a threat to the public,
- Were responding to aggression,
- Have no history,
- Are emotionally significant support animals,
- Belong to a vulnerable whānau needing compassion,
- And deserve a fair and lawful process.

We ask Council to uphold its obligations under the Dog Control Act, natural justice, and humane treatment standards.

Please confirm receipt of this objection and provide the date for the hearing.

Ngā mihi nui,

Hinerangi Waipouri

Support Advocate

[redacted]

UNCONFIRMED

From: Hinerangi Waipouri [redacted]
Sent: Friday, 10 April 2026 11:58 am
To: [redacted]
Subject: Re: Section 71 Objections – Clarification and Recirculation

CAUTION:External Email.

Tēnā koe [redacted]

Thank you for your email.

For clarity, I confirm that the objection previously lodged on 24 November 2025 was intended to apply to the seizure, retention, and proposed destruction of all dogs taken during the incident of 14 November 2025, including Blu.e Popata [redacted], Shadows Popata [redacted], Sasha Popata, and the remaining dogs associated with that event.

To ensure there is no ambiguity in Council's records, I confirm that this objection is to be treated as applying to the subsequent Section 71 notices issued on 25 November 2025 and 11 December 2025.

I have reattached the original objection below for ease of reference.

To the extent required, this email also serves to reaffirm and continue that objection in respect of all relevant notices and all dogs subject to those notices.

The objection remains to:

• The continued retention of the dogs pending prosecution

• Any decision or proposal to euthanise the dogs

Please confirm that the objection has now been correctly recorded against all relevant dogs and corresponding Section 71 notices.

Ngā mihi nui,

UNCONFIRMED

Hinerangi Waipouri

Author -Te Ara Kaitiaki

Whānau Support Advocate

[redacted]

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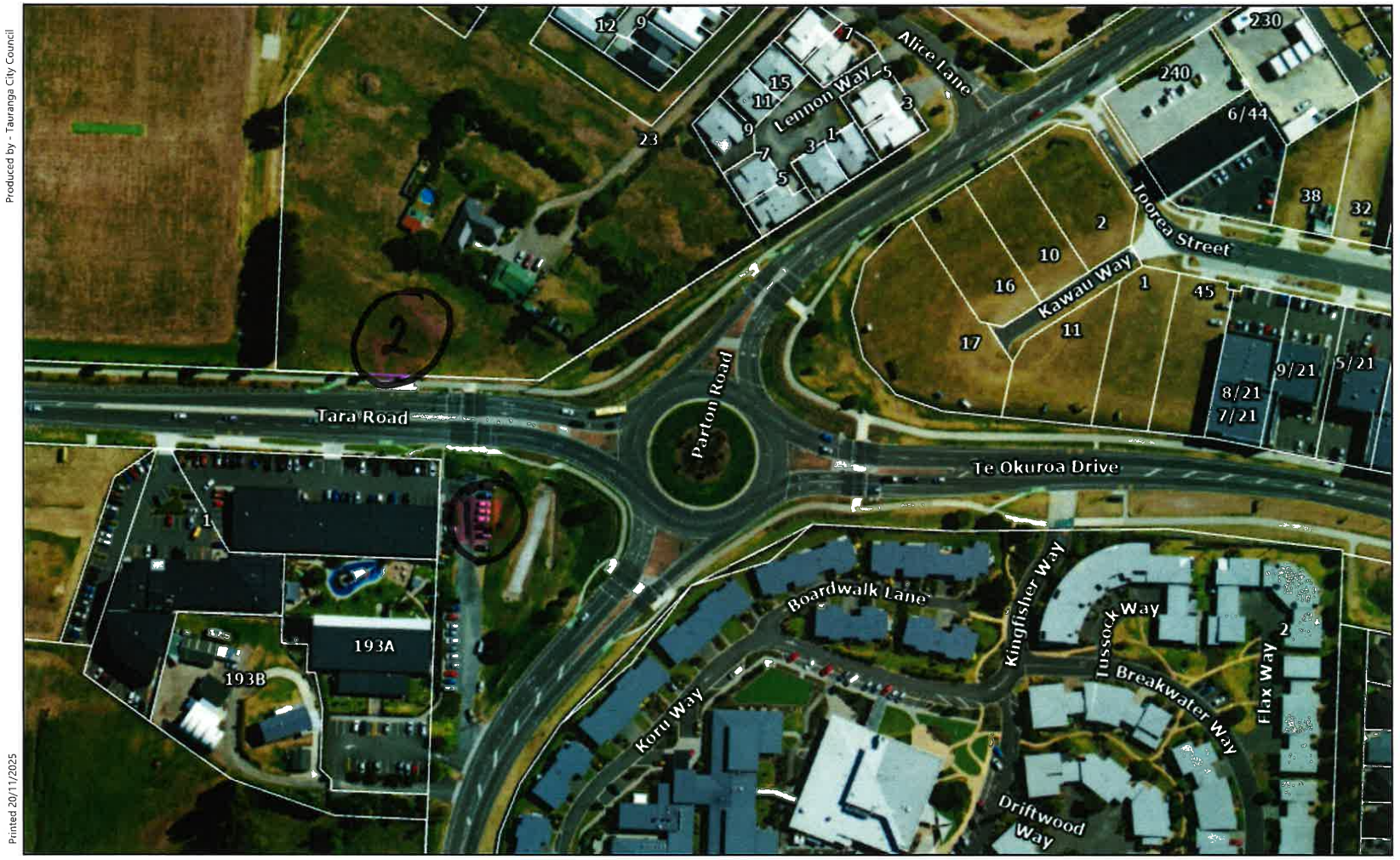

CCM 1236031.

@ 1. PERSON'S ATTACK & STOCK ATTACKED 2.

14/11/25

Corner of Parton & Tara Road.

UNC

3:17
M
2 Nov, 6:07 pm
2%
Edit

25 November 2025

[redacted]

Dear [redacted]

Retention of dog threatening public safety notice
Section 71 Dog Control Act 1996

Re dogs: Named SASHA, Female Rottweiler, micro-chip no. [redacted]
Named BLU.E, Male Staffordshire Bull Terrier, Micro-chip no. [redacted]

This letter is to inform you that Council intends to proceed with a prosecution in relation to an attack on a person on Friday 14 November 2025 (complaint number 1236031).

We are satisfied on reasonable grounds that the release of the dogs Sasha and Blu.e would threaten the safety of people, stock, poultry, domestic animals or protected wildlife. Therefore, Sasha and Blu.e will be retained in the pound under section 71(2) of the Dog Control Act 1996 while awaiting the outcome of the prosecution against you.

You can apply to Council to have your dog returned pending the outcome of the prosecution and this will be heard by a Council committee. If Council refuses to release the dog, you have the right to apply to the Tauranga District Court for the dog's release.

Please note: If the Court orders the return of your dog at the conclusion of the prosecution you may be required to pay fees for its care and sustenance before it can be released. If the fees are not paid, the dog may be disposed in accordance with the provisions of Section 69 of the Act.

Note: Any objection heard by the Regulatory Hearings Panel is a publicly notified meeting and members of the public, including the media may attend. The details of the Council report and the hearing, including your name and your dog's name, may be published. Your contact details will not be reported.

Yours sincerely

Oscar Glossop
Animal Services: team leader
Tauranga City Council
07 577 7000
info@tauranga.govt.nz

UNCONFIRMED

5.2 Regulatory Hearings Panel Report - Objection to Disqualification as a Dog Owner - Aroha Ririnui

File Number: **A20701131**

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

Authoriser: **Sarah Omundsen, General Manager: Regulatory and Community Services**

PURPOSE OF THE REPORT

1. To consider an objection, to being disqualified as a dog owner, under Section 26 of the Dog Control Act 1996 (**the Act**) from Aroha Ririnui.

RECOMMENDATIONS

That the Regulatory Hearings Panel:

(a) Receives the report "Regulatory Hearings Panel Report - Objection to Disqualification as a Dog Owner - Aroha Ririnui".

(b) Resolves to either:

(i) **Uphold** the disqualification - for three years (Recommended); or

(ii) **Bring forward** the date of **termination** of the disqualification; or

(iii) **Immediately terminate** the disqualification.

EXECUTIVE SUMMARY

2. On 5 May 2026, Animal Services proposed to disqualify Aroha Marie Ririnui, the Objector, from dog ownership, following repeated infringements and impound events involving her dogs.
3. The Objector submitted a written objection to the disqualification.
4. In considering any objection under this section, the territorial authority shall have regard to—

a) the circumstances and nature of the offence or offences in respect of which the person was disqualified; and

b) the competency of the person objecting in terms of responsible dog ownership; and

c) any steps taken by the owner to prevent further offences; and the matters advanced in support of the objection; and

d) any other relevant matters.

BACKGROUND

5. The Objector Aroha Ririnui is the owner of two dogs: Kai, a Male 3 year 10 month old Boxer American Pit Bull Terrier Cross and Jack, a 3 year 10 month Bulldog Mastiff Cross.
6. Both of these dogs are not currently registered, Jack not since 2024. Kai was registered in 2025 as part of release from impound but this has since expired.
7. Animal Services' engagement with the Objector has occurred over multiple prior incidents, impounding and enforcement actions.

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8. During 2025 and 2026, Animal Services recorded 7 separate incidents of the Objector's dog "Kai" roaming uncontrolled within Welcome Bay, Tauranga.
9. Kai was impounded on five occasions within 2025.
10. Five infringement notices were issued to the Objector under Section 20(5) of the Dog Control Act 1996 for failure to keep a dog under control. These occurred on 13 September 2025, 30 September 2025, 17 December 2025, 24 January 2026 and 14 May 2026.
11. Each infringement arose from separate incidents, each of which impacted the community to the level that complaints were made to Animal Services from multiple complainants.
12. On at least one occasion Jack was reported roaming with Kai.
13. On one occasion the Objector stated that Kai had been missing for two weeks.
14. A disqualification was issued for three years on the basis that the statutory threshold of three infringement offences within 24 months had been met, together with a demonstrated pattern of repeated non-compliance despite progressive enforcement measures. This disqualification will expire on 16 December 2028.
15. In her submission, the Objector accepts responsibility for the dog's roaming behaviour and provides an apology. She also outlines personal circumstances, including living on Māori land and reliance on dogs for security and pest management.
16. Animal Services acknowledges these statements; however, these circumstances do not alter the established evidential history. The repeated incidents, despite engagement and enforcement interactions, indicate an ongoing failure to maintain effective control and containment of the dogs. This also undermines the Objectors own reasoning for reliance on the dogs, since they are not reliably present for these functions.
17. The objection further outlines proposed corrective actions, including transfer of ownership of the Objectors second dog, interim containment measures, and a proposal to install an electronic containment system. Animal Services notes that similar opportunities to achieve compliance have been available following earlier enforcement interventions, including after prior impounds and infringements.
18. While recent actions are noted, they are reactive to the disqualification. The established pattern demonstrates that previous enforcement tools, including fees, warnings, and mandatory requirements, have not resulted in sustained compliance. It is the submission of Animal Services that, even if the most amazing technological system was in place to prevent roaming, the Objector's pattern of failures show no likelihood of such a system being utilised and maintained effectively.
19. Accordingly, Animal Services considers that the disqualification remains justified and proportionate.

STATUTORY CONTEXT

20. The Dog Control Act 1996 stipulates functions, duties and powers conferred on Territorial Authorities, such as Tauranga City Council, to facilitate the objects of the Act.
21. This report references several sections of the Dog Control Act 1996 which prescribe obligations and provisions:
    (a) Section 5 - Obligations of dog owners
    (b) Section 20 - Dog control bylaws
    (c) Section 25 - Disqualification of owners
    (d) Section 26 – Objection to disqualification
    (e) Section 27 – Appeal to District Court
22. The statutory threshold of three infringement offences within a 24-month period has been met.

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23. The Tauranga City Council Regulatory Hearings Panel has authority to make decisions by way of delegation as per the Local Government Act 2002.

24. The Objector may appeal the decision of the Regulatory Hearings Panel to the District Court.

25. Upon confirmation of the Disqualification, the Objector must dispose of any dog owned by them within 14 days. They shall not be disposed of to any person who reside at the same address as the person disqualified.

STRATEGIC ALIGNMENT

26. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	☐
We are a well-planned city that is easy to move around	✓
We are a city that supports business and education	☐
We are a vibrant city that embraces events	☐

(iv) Effective enforcement of the Dog Control Act supports safer public spaces, responsible dog ownership, and reduced animal related incidents, contributing to a safer and more liveable city.

OPTIONS ANALYSIS

27. Option 1: Uphold the proposed disqualification (Recommended)

(a) This reflects the infringement history and repeated non-compliance despite prior engagement and enforcement measures.

28. Option 2: Bring forward the date of termination of the disqualification.

(a) This option relies on the owner's proposed corrective actions and stated commitment to compliance.

29. Option 3: Immediately terminate the disqualification

(a) This option is least likely to prohibit non-compliance and impacts to others.

FINANCIAL CONSIDERATIONS

30. Costs have been incurred through repeated enforcement actions including impounds and administration. Future costs will depend on enforcement decisions.

RISKS AND LEGAL IMPLICATIONS

(v) The disqualification process is supported by the Dog Control Act 1996, with the statutory threshold satisfied.

(vi) If not upheld, there remains a risk of continued non-compliance based on historical behaviour. If upheld, the decision must demonstrate proper consideration of the objection and proportionality.

TE AO MĀORI APPROACH

31. The objection references Māori land, tikanga, and the role of the owner as kaitiaki. This information is recorded as part of the submission.

32. The matter remains a regulatory enforcement decision under the Dog Control Act 1996.

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CONSULTATION / ENGAGEMENT

33. The Applicant has provided a written objection outlining circumstances and mitigation measures. No further consultation has been undertaken.

SIGNIFICANCE

34. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.

35. In making this assessment, consideration has been given to the likely impact, and likely consequences for:

    (a) the current and future social, economic, environmental, or cultural well-being of the district or region

    (b) any persons who are likely to be particularly affected by, or interested in, the decision.

    (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

36. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of medium significance.

ENGAGEMENT

37. Taking into consideration the above assessment, that the decision is of medium significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

38. Following the hearing, the Panel's decision will be formally notified to the Objector.

ATTACHMENTS

1. **Objector's Map -**
2. **Objector's Invisible Fence Description -**
3. **Objector's Dog Images -**

UNCONFIRMED

UNCONFIRMED

7:24 73

Professional training for electronic dog fence containment system.

How does invisible dog fencing work?

An invisible or electronic dog fence combines a transmitter, perimeter wire and a dog boundary collar to keep your pet secure. The perimeter wire gets installed around the property, usually buried just underground and then connected to the transmitter. The transmitter is connected to mains power and sends an FM signal through the wire. It is important to understand that invisible dog fencing is nothing like an electric dog fence. Electric fences work by sending a current down a live wire which delivers a shock to animals and people that come into contact with it. An invisible dog fence is much more sophisticated and safer.

MED

5.3 Regulatory Hearings Panel Report - Appeal to retention of dogs threatening public safety - Pearl Li Si

File Number: **A20701118**

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

Authoriser: **Sarah Omundsen, General Manager: Regulatory and Community Services**

PURPOSE OF THE REPORT

1. To consider an application under Section 71(4) of the Dog Control Act 1996 (**the Act**) from Pearl Li Si, for the release of her dogs Rambo and Oreo which are currently retained by Tauranga City Council pending prosecution.

RECOMMENDATIONS

That the Regulatory Hearings Panel:

(a) Receives the report "Regulatory Hearings Panel Report - Appeal to retention of dogs threatening public safety - Pearl Li Si".

(b) Resolves to either:

(i) **Uphold** the retention of both dogs pending prosecution **(Recommended)**; or

(ii) Grant the **release** of **both** of the dogs pending prosecution, subject to any lawful conditions.

(iii) Grant the **release** of **one** of the dogs, subject to any lawful conditions, and retain the other dog.

EXECUTIVE SUMMARY

2. The Applicant Pearl Jaclyn Li Si is the owner of the dogs Rambo and Oreo, both 5 year old Staffordshire Bull Terriers. These dogs are retained under section 71, Dog Control Act, pending prosecution for two charges under Section 57 of the Act arising from a serious attack on a horse on 5 May 2026.

BACKGROUND

Circumstances

3. On 5 May 2026, at approximately 1:00pm, the Victim was riding a horse named “Hero” on Papamoa Beach near Harrison’s Cut with a companion riding another horse.

4. At the same time, the Applicant, Pearl Jaclyn Li Si, was present on the beach with her two dogs, Rambo and Oreo, both off leash and not under effective control.

5. This is a public beach, with members of the public present in the vicinity at the time.

6. Evidence from witnesses indicates that one dog approached the horses and began barking and attempting to bite. The second dog joined shortly after, and both dogs engaged in an attack on the horse. The Victim attempted to escape by riding away; however, the dogs pursued. (Attachment 2)

7. This video recording, provided by a witness, appears to show the two dogs running alongside a horse on the beach while in close proximity to it. The footage appears to show the dogs

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pursuing the horse as it moves at speed. The horse is then seen entering the water and falling. The recording captures the initial stage of the incident only and does not show the full duration of events described by witnesses.

8. Evidence from witnesses indicates that, after falling in the water, both dogs continued to bite the horse in multiple areas, including the neck, legs and torso.

9. Evidence from witnesses clearly describes each of the two dogs and their individual actions, both individually biting the horse at different times and simultaneously.

10. The victim states that the dogs attempted to attack him in the water while he was trying to defend his horse.

11. If accepted, this suggests an escalation in the dogs' behaviour and a corresponding increase in risk to persons.

12. The evidence indicates that members of the public intervened during the incident and assisted in attempting to gain control of the dogs.

13. The witnesses state that the owner remained at the water's edge and did not approach the dogs during the attack.

14. The evidence infers that the owner was unable to regain effective control of the dogs during the escalation of the incident.

15. The horse sustained multiple bite wounds, including a significant gaping wound, and nerve damage requiring veterinary treatment. (Attachment 1).

Seizure

16. Both of the dogs were seized by Animal Services at the scene of the attack.

Prior History

17. The investigation established that Rambo has a prior history of aggressive behaviour. In January 2022, while under the ownership of Pearl Jaclyn Li Si in Auckland, Rambo was involved in an incident where the dog attacked a dog and killed a cat at a residential property. As a result of that incident, Rambo was impounded and subsequently classified as a menacing dog under section 33A of the Dog Control Act 1996 (menacing by deed). Animal Services understands that the Applicant was charged but subsequently received diversion for this incident.

18. The menacing classification requires that Rambo be muzzled when in any public place and kept under control at all times. Evidence from the current incident indicates that at the time of the attack on 5 May 2026, Rambo was not muzzled and was not under effective control in a public place.

Prosecution

19. The investigation concluded that there is sufficient evidence to support prosecution.

20. The Applicant faces two charges of owning a dog that attacked stock under Section 57 of the Act relating to the attacks by Rambo and Oreo. These were filed in the Tauranga District Court on 3 July 2026 and the first appearance is scheduled for 21 August 2026.

21. Animal Services considers a reasonable prospect of conviction. Animal Services also considers there are no exceptional circumstances, meaning a destruction order would likely be mandatory upon conviction.

The dogs should remain retained for public safety pending prosecution.

22. If the dogs were to be released, even with good measures and extreme restrictions in place, mistakes can happen, doors and gates can be left open, fences can be jumped, a cat or even a child could roam and the Applicant would not be able to stop the dogs. Whereas, in the care of the pound, there are facilities and expertise to mitigate any risks, while still allowing for enrichment and exercise of the dogs.

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Conclusion

23. The available evidence indicates a serious incident involving two dogs engaging in behaviour directed at a horse, resulting in injury to stock. Witness evidence consistently describes both dogs chasing and biting the horse, and indicates a sustained loss of effective control, including failure to respond to recall.

24. The incident occurred in a public setting, with members of the public present, and required intervention from members of the public to assist in regaining control of the dogs. This indicates an increased level of risk to persons present.

25. The evidence further indicates that the owner did not intervene directly during the attack and remained at a distance, suggesting an inability to regain effective control during the escalation.

26. The complainant reports that the dogs attempted to engage him while he was defending his horse. If accepted, this indicates an escalation beyond the attack on stock and a potential risk to persons.

27. Taking these factors into account, including the seriousness of the incident, the loss of control, the public setting, the involvement of multiple dogs, and the escalation of behaviour, the available evidence does not establish that release would not pose a risk to the safety of stock or other animals.

28. Accordingly, the Panel cannot be satisfied that release will not threaten safety, and refusal of release is recommended.

STATUTORY CONTEXT

29. The Dog Control Act 1996 stipulates functions, duties and powers conferred on Territorial Authorities, such as Tauranga City Council, to facilitate the objects of the Act.

30. This report references several sections of the Act which prescribe obligations and provisions:

    (a) Section 57, Dogs attacking persons or animals.

    (b) Section 33A, Dogs menacing by deed

    (c) Section 71, Retention of a dog threatening public safety.

31. The Tauranga City Council Regulatory Hearings Panel has authority to make decisions by way of delegation as per the Local Government Act 2002.

32. **Under Section 71(5) of the Act, the Panel must be satisfied that the release of Rambo and Oreo at this time will not threaten the safety of any person, stock, poultry, domestic pet, or protected wildlife.**

STRATEGIC ALIGNMENT

33. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	☐
We are a well-planned city that is easy to move around	☐
We are a city that supports business and education	☐
We are a vibrant city that embraces events	☐

34. The continued retention of dogs involved in serious attacks aligns with Tauranga City Council's strategic objectives of protecting public safety, reducing harm, and promoting responsible dog ownership through proportionate enforcement.

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OPTIONS ANALYSIS

35. **Option 1: Retain the dogs in custody (recommended)**
    (a) Does not rely on control and compliance of the dog owner
    (b) Ensures public safety
    (c) Consistent with the severity of the attack
36. **Option 2: Release both dogs, subject to any lawful conditions**
    (a) Relies on control and compliance of the dog owner
    (b) Does not mitigate the public safety risk
    (c) Not consistent with the severity of the attack
37. **Option 3: Release only one dog, subject to any lawful conditions**
    (a) Relies on control and compliance of the dog owner
    (b) Does not mitigate the public safety risk
    (c) Not supported by dog owner history, evidence or severity of the attack.

FINANCIAL CONSIDERATIONS

38. Release of the dogs would be subject to statutory requirements to pay outstanding fees.
39. There are no other financial implications considered relevant to this decision.

RISKS AND LEGAL IMPLICATIONS

40. If the dogs are released and a subsequent incident occurs, Council may be exposed to risk.
41. Retention of the dogs is consistent with enforcement obligations and public safety considerations.
42. The Panel's decision is confined to Section 71 risk considerations and should not pre-empt criminal proceedings.

TE AO MĀORI APPROACH

43. This is a regulatory enforcement matter. No additional Te Ao Māori considerations have been identified beyond ensuring lawful, fair, and respectful process.

CONSULTATION / ENGAGEMENT

44. Engagement has been limited to statutory notifications and correspondence with the Applicant and their legal counsel.

SIGNIFICANCE

45. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
46. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
    (a) the current and future social, economic, environmental, or cultural well-being of the district or region
    (b) any persons who are likely to be particularly affected by, or interested in, the decision.

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(c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

47. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of medium significance.

ENGAGEMENT

48. Taking into consideration the above assessment, that the decision is of medium significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

49. Following the hearing, the Panel's decision will be formally notified to the Applicant. Any release and ongoing compliance or enforcement actions will be undertaken in accordance with the final determination.

ATTACHMENTS

1. **Photos of horse injuries - A20706607** ⇩
2. **Video of dogs chasing horse – A20220599**

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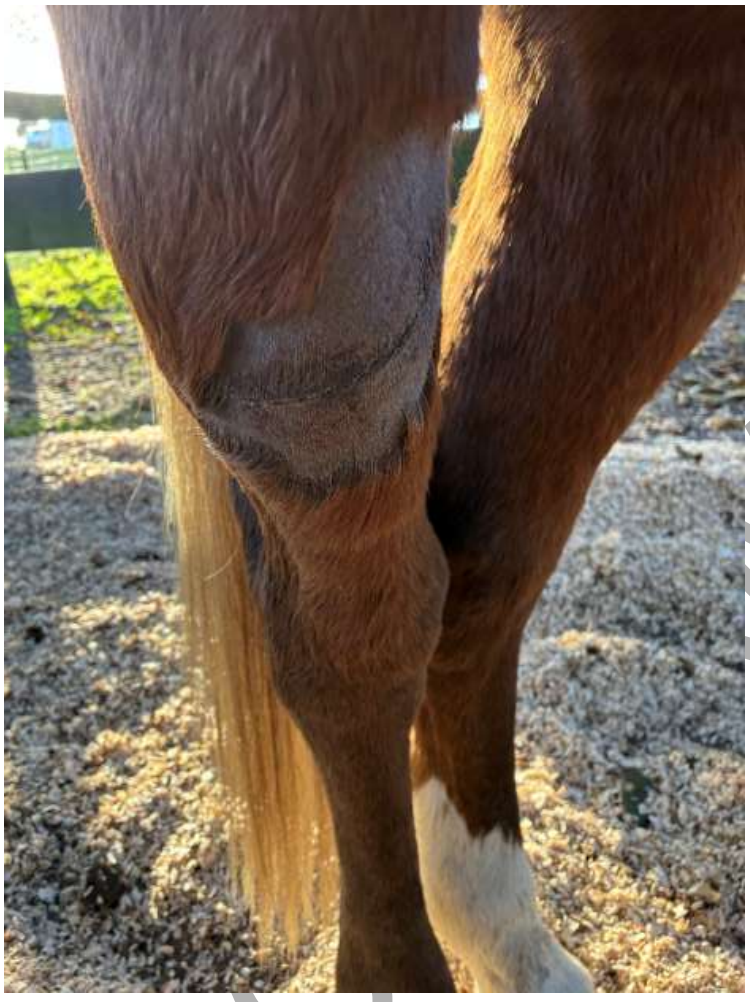

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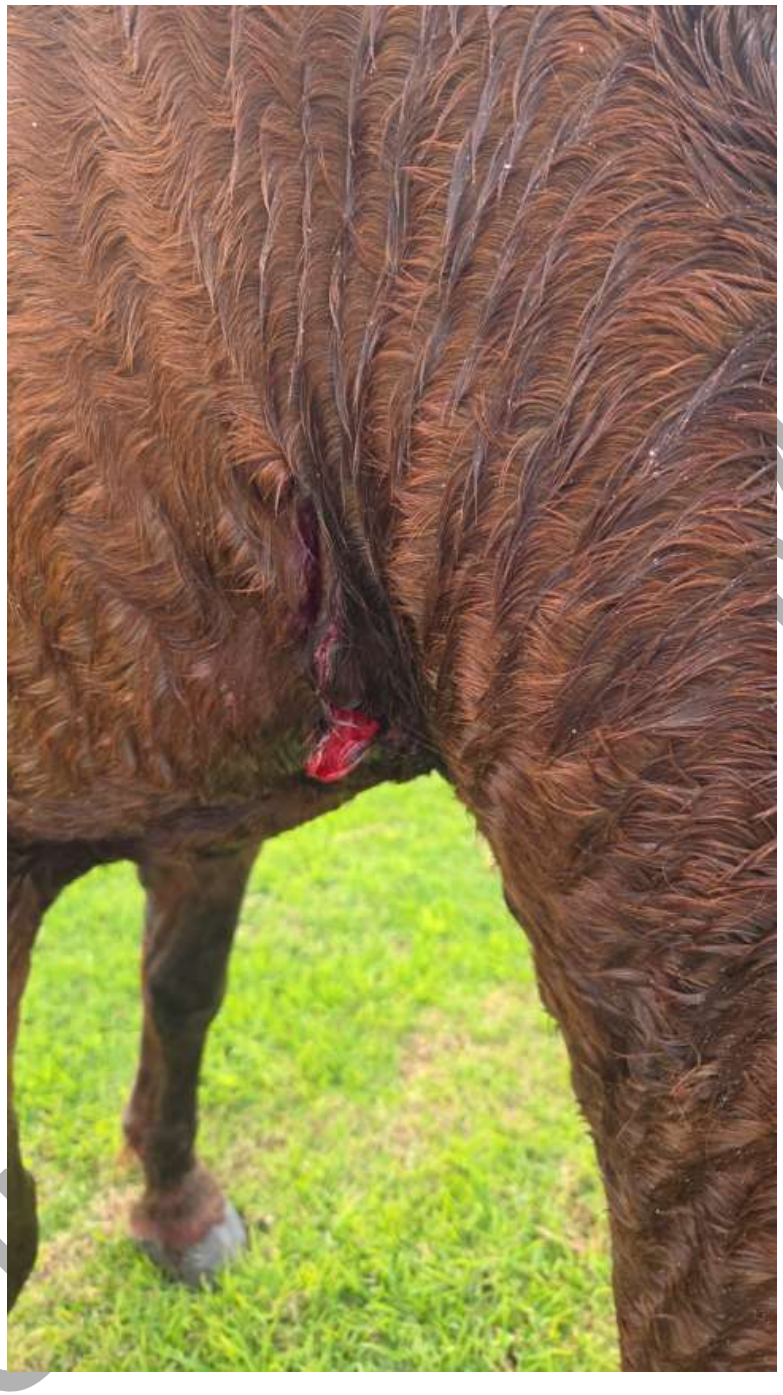

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5.4 Regulatory Hearings Panel Report - Objection to Barking Abatement Notice - Shontelle Castledine

File Number: **A20701138**

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

Authoriser: **Sarah Omundsen, General Manager: Regulatory and Community Services**

PURPOSE OF THE REPORT

1. To determine an objection lodged by Shontelle Castledine (the **Objector**) against a Barking Abatement Notice issued under section 55 of the Dog Control Act 1996 (the **Act**.)

RECOMMENDATIONS

That the Regulatory Hearings Panel:

(a) Receives the report "Regulatory Hearings Panel Report - Objection to Barking Abatement Notice - Shontelle Castledine".

(b) That the Regulatory Hearings Panel **confirm** the Barking Abatement Notice issued on 27 May 2026.

EXECUTIVE SUMMARY

2. The Objector is the registered owner of two dogs “Karma” a year old German Shepherd and “Zeus” a year old Border Collie Staffordshire Bull Terrier cross.
3. The Objector’ dogs have been the subject of repeated barking complaints over the past year.
4. An abatement notice was issued and subsequently objected to.

BACKGROUND

5. The Objector lives with her dogs at a small suburban property, which is directly adjacent to 6 other residential properties. There are no less that 14 residential properties within approximately 50 meters of the Objectors address.
6. Animal Services have investigated multiple complaints of barking and have undertaken progressive compliance steps, including a behavioural letter, site visits, direct engagement with the Objector, and the completion of a barking survey. Despite these actions, the behaviour has persisted.
7. Key complaint history includes:

(a) **06 October 2025**: Complaint of persistent barking at night, described as ongoing for approximately three weeks.

(b) **23 September 2025**: Complaint of continuous barking by two dogs, ongoing for approximately six months.

(c) **02 April 2026**: Complaint of barking occurring on and off throughout the day.

(d) **22 April 2026**: Complaint regarding aggressive behaviour at the fence line, including dogs jumping and barking.

(e) **30 April 2026**: Complaint of sustained barking for extended periods, including during the night.

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8. A barking survey conducted in May 2026 confirmed the ongoing nature of the issue, with multiple neighbours identifying the same address as the source.

9. It is the nature of barking dog complaints that neighbours may not wish to confront the dog owner, as they may still need to live proximately with one another. This does not minimise the effect the dogs barking is having on them. The Act recognises the balancing of evidence with privacy by requiring the officer to form a belief on reasonable grounds.

10. In satisfying a belief that the barking of Karma and Zeus was in breach of Section 55 of the Act, Animal Services Officers considered whether the barking or howling was:

    (a) Loud: Defined as - Of sounds - Strongly audible - striking forcibly on the sense of hearing. Officers attended the address and observed the dogs barking, assessing the bark as being impactful, above mere annoyance, to nearby occupiers the officer was also provided with a video (in confidence) from a complainant of the dogs barking and;

    (b) Persistent: Defined as - Of an action or condition: Continuous, constantly repeated. Independent complainants over an extended period, described barking during daytime, extended durations, and at night, often when the owner was thought to not be home and;

    (c) Causing Private Nuisance: Defined as - Significantly interfering with the property use or enjoyment, going beyond mere annoyance. Complainants reported the barking to be having an unreasonable impact, being extremely loud, piercing or disruptive, impacting working from home, and describe the barking as driving the “neighbours crazy”.

11. A barking abatement notice was issued to the Objector requiring them to use a functioning anti-bark collar on both dogs. (Attachment 1)

12. The Objector made a formal Objection to the barking abatement notice. (Attachment 2)

13. The Objector does not outright deny that her dogs bark, but in her submissions outlined:

    a) That she is being targeted by neighbours in a vindictive way.

    - Animal Services’ investigation has identified at least three independent complainants with genuine concerns about loud and persistent barking affecting them and no improvements over an extended period. Adverse behaviour towards the Objector seems to stem from the frustration at her dogs barking, leading to a reasonable conclusion that stopping the barking will likely improve neighbourly relations.

    b) That the use of anti-bark collars could see a repeat of an incident whereby her dogs became entangled.

    - This could easily be mitigated with the extensive range of products available to dog owners.

14. It is there for the opinion of Animal Services that the current abatement notice be confirmed with the existing conditions.

STATUTORY CONTEXT

15. Section 55 of the Act allows Council to issue barking abatement notices where there are reasonable grounds to believe the barking is loud and persistent and constitutes a nuisance.

16. The Tauranga City Council Regulatory Hearings Panel has authority to make decisions by way of delegation as per the Local Government Act 2002.

STRATEGIC ALIGNMENT

17. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓

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We value, protect and enhance the environment	☐
We are a well-planned city that is easy to move around	☐
We are a city that supports business and education	☐
We are a vibrant city that embraces events	☐

18. The recommendation supports an inclusive city by addressing behaviour that negatively impacts residents' ability to enjoy their properties and reduces neighbourhood conflict.

OPTIONS ANALYSIS

19. The panel must consider whether reasonable grounds existed for issuing of the abatement notice. The Panel has three options, the panel may:

    i) Confirm the abatement notice with the existing conditions. **(Recommended)**

    Or

    ii) Confirm the abatement notice with modified conditions as stipulated by the panel.

    Or

    iii) Cancel the abatement notice.

FINANCIAL CONSIDERATIONS

20. No direct financial cost to Council arises from the Panel's decision.

RISKS AND LEGAL IMPLICATIONS

21. Any enforcement action must ensure procedural fairness and compliance with statutory requirements.

TE AO MĀORI APPROACH

22. This is a regulatory matter with no identified Te Ao Māori implications.

CONSULTATION / ENGAGEMENT

23. Engagement has occurred through statutory notifications and correspondence with the affected parties. Wider consultation is not relevant to this matter.

SIGNIFICANCE

24. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.

25. In making this assessment, consideration has been given to the likely impact, and likely consequences for:

    (a) the current and future social, economic, environmental, or cultural well-being of the district or region

    (b) any persons who are likely to be particularly affected by, or interested in, the decision.

    (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

26. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of medium significance.

ENGAGEMENT

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27. Taking into consideration the above assessment, that the decision is of medium significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

28. Following the hearing, the decision will be communicated in writing and enforcement will proceed accordingly.

ATTACHMENTS

1. **Barking Abatement Notice - A20723564**
2. **Objection - A20723594**

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27 May 2026

Tauranga City

Delivery Confirmation:

Recipient name: Shontelle Castledine

Signature: [redacted]

Date: 5/6/26 Time: 2.03pm

SHONTELLE CASTLEDINE
[redacted]

Barking Abatement Notice (Section 55(1) (b), Dog Control Act 1996)

Dear Shontelle

Barking abatement notice – complaint number 1269066

We have completed our investigation into a barking dog complaint involving your dog Karma and Zeus.

As the result of a further complaint received by the Animal Services team, on 30 Apr 2026 regarding your dogs Karma and Zeus barking, a survey was carried out with 15 residents in your area. 3 people have indicated that a nuisance is being caused by loud and persistent barking.

I, Stephanie Swney, a Dog Control Officer, have reasonable grounds to believe that your dog's Karma and Zeus are causing nuisance by persistent and loud barking or howling and as such **you are now required** to undertake or complete the following actions to abate the dog barking:

- Obtain and use a functioning anti-barking collar ensuring the anti-bark collar is fitted correctly as per manufacturer's instructions. (Available for purchase from us at $35 or your local vet)

You may also consider one or more of the following to reduce the barking to an acceptable level:

- ensure the dog is kept indoors, in a garage or in an enclosure when no one is at home that will minimise noise (the dog must have ventilation and plenty of fresh water)
- provide adequate exercise before periods of separation
- seek the services of a qualified trainer or animal behaviourist
- consider medication (contact your local vet or animal holistic centre)
- discourage barking at inappropriate times and for inappropriate reasons

Tauranga City Council, Private Bag 12022, Tauranga 3143, New Zealand
+64 7 577 7000 info@tauranga.govt.nz www.tauranga.govt.nz

- avoid long periods of separation.

If there are any further complaints a new notice could be issued, the requirements of which will apply in addition to the requirements set out above and any objection to that notice will not suspend the requirements set out above.

Your right of objection to the requirements

- You may, within seven days of the receipt of this notice, object in writing to Tauranga City Council against the requirements of this notice.
- Tauranga City Council will consider the objection and may confirm, modify, or cancel the notice.
- You are entitled to seven days notification of the date, time, and place at which Tauranga City Council will consider your objection. You are entitled to be represented and to be heard. You may submit evidence and call witnesses in support of your objection.
- Tauranga City Council shall give written notice to the objector of their decision.
- This notice will be suspended while pending the determination of the objection.

You must either comply with this notice, or object to the requirements. You must also comply with any notice confirmed or modified by us. If you do nothing, you may be subject to legal proceedings and will be liable to a fine not exceeding $1500.

Note: Any objection heard by the Regulatory Hearings Panel is a publicly notified meeting and members of the public, including the media may attend. The details of the Council report and the hearing, including your name and your dog's name, may be published. Your contact details will not be reported.

In the event of a council hearing, all documentation and correspondence may become public.

Your dog is your responsibility – as a dog owner, you have certain obligations under the Dog Control Act 1996. These obligations require you to take all reasonable steps to ensure your dog does not cause a nuisance to any other person, by persistent and loud barking/howling.

Removal of barking dog causing distress
If at any time after this notice has been issued, we receive a further complaint and have reasonable grounds to believe that a nuisance is continuing to cause distress to any person, a dog control officer may enter the property or premises on which the dog is kept and remove and impound the dog or serve a notice requiring you to permanently remove your dog from your property.

Yours sincerely,

[redacted]
Animal Services team
Tauranga City Council
07 577 7000
info@tauranga.govt.nz

From: **Shontelle** [redacted]
Date: Sun, 7 Jun 2026, 1:06 pm
Subject: Re: Objection
To: <info@tauranga.govt.nz>

To Tauranga City Council/animal management department

I am writing to you in regards to my barking abatement notice - complaint number 1269066.
My name is Shontelle Castledine and I am the owner of the dogs in question, Karma and Zeus.

I am a single mother working part time while raising a 5 year old girl who recently started school. While this may not seem relevant I believe it can attribute some factors and compassion in regards to my objection to this notice. I was served the abatement notice by Stephanie Swney on Friday 5th June 2026 at 2.03pm. Prior to this I was visited I believe on or around Monday 25th May 2026 by Stephanie and Pat from Tauranga animal services. This visit was following a neighbourhood barking survey in my area early May which I also got a letter for and results were to be submitted by May 18th from any concerned neighbours. The results of this barking survey concluded with 3 positive confirmations of my dogs being the apparent neighbourhood nuisance. I have previously received 2 or 3 barking complaint letters or phone calls from the council regarding the dogs barking and have taken notable steps to try to minimise the barking.

Firstly, I actually received an anonymous hand written note in my letterbox a couple months ago wording along the lines of "Can't you keep your fucking dofg quiet during the day", this was before any formal council complaints. I was shocked as I try to work as much as I can to provide for my daughter and pay my bills so to come home to a rude note like that was quite distressing and unnecessary. About a couple weeks after that my dogs were barking at a dog next door at the property boundary line as there is a small dog at number [redacted] who sometimes does wander over to my fence and start harrassing my dogs, the neighbours dog is the one who incites that ruckus, NOT mine. While this happened on one particular day a neighbour yelled out a clear audible threat to kill my dogs if they didn't shut up. I reported that to the police also. Unfortunately the police were either unwilling or unable to do anything about either incident.

You can imagine how much stress and fear this has been causing me to have the safety of my dogs, my property and therefore my young daughter to be threatened and I don't know if I need to stay home from work to make sure no harm comes to my dogs or if I risk leaving them home alone while I go work to earn the money I need. Needless to say the council complaints were made known to me shortly after that. I went round door knocking to at least 4 neighbouring houses on my street to ask in person what they thought of my dogs barking, if there were in fact any issues and if they knew anything about the threats. One

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neighbour did indicate territorial behaviour and made a suggestion to either tether my dogs in the yard or block some road visibility when I'm not home.

I took that into consideration while maintaining a very polite yet fearful stance. I had since blocked off part of my deck permanently so my dogs can't run across and see more roadside activity to bark at. I have also tried tethering one or both in part of the yard while I am at work. This does somewhat help however then they get tangled as they play and whine in distress until I am home. I know this because I have 2 cameras and my neighbour informs me if he hears noise/activity when I am not home.

I do ensure to stop the dogs barking if it's persistent while I am home but that is not often and when it is, it's due to seeing a cat nearby or sometimes started by other dogs nearby barking. I have stated to the council that I believe my dogs are the target of these threats and complaints because they are the only ones visible from the roadside so easy to pinpoint exactly where and which dogs. There are several other dogs in the area and a few others do sound very like mine so I believe some neighbours have assumed if they hear a loud deep bark it must be only my german shepherd.

I have continuously lost sleep over this whole saga as I am trying to maintain a somewhat broken co-parenting relationship with my daughters father as I am the primary guardian, as well as getting my house ready to sell and it is now on the market. I can only focus on so much at once without my mental health taking a toll as it already has with this constant stress and not knowing which neighbours want to harm my dogs.

I have also informed council that one complaint dated 2 April 2026 with persistent barking at 10.17am was while I was at work, I had trades people at my property doing work on the driveway so yes my dogs barked as I wasn't home but the trades people were fine with that and didn't need to enter the property only my driveway. My neighbour did call me to say they were barking at the waterblasting noise from the trades people and offered to go over and quiet my dogs which he did as he knows I have been the target of harassment and threats due to barking.

Another notable complaint from 22 April 2026 regarding my dogs rushing to the fence, as I have mentioned, is that they rush when the neighbouring dog comes to the fence sometimes, as well as another neighbour alleging they rush over if someone is mowing the grass at that property boundary area. There was a complaint made alleging my dogs are aggressive and Stephanie visited to check out my fencing and concluded there was no reasonable grounds for concern as my property is deemed secure and no fence breach points. This proves a neighbour does indeed have a grudge to bear against myself and my dogs for no reason other than what I believe to be lonely and irritated at home by day to day noise.

The abatement notice is stating my dogs are to wear barking collars 24/7. I have purchased 2 barking collars from the Tauranga City Council on 5th June 2026. I am strongly urging this

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to be reconsidered due to the fact that I am selling my house and moving away soon, I am fearful they will get harmed by these collars and my smaller dog Zeus likes to chew things and may end up chewing off Karma's barking collar in playfulness which I will then have to repeatedly purchase and waste more money on to replace. I also do not agree that I am the one having to front these costs when I am in fact being ordered to follow these instructions against my will.

Another point I want to make is that Zeus has nearly died of asphyxiation due to a collar freak incident on 14th April 2026 so I am terrified something will happen again when I am not home. I have a vet invoice from that date as the dogs were playing as normal inside and Karma's large tooth got accidentally hooked on Zeus's collar and as they each tried twisting and pulling away the collar got twisted and tightened around Zeus's neck in panic and survival mode trying to wriggle free. I witnessed Zeus before my eyes very nearly choke to death due to having a collar on and get hooked in play time. He was taken to the vet immediately with blood coming out of his eye and throat and very swollen bruised injuries. For this reason as I said I am terrified something like this could happen again due to being forced to wear the barking collar. I can provide the vet notes to confirm the injuries if required.

One last point, a couple of neighbours have been either yelling at my dogs to antagonise or staring intently from a distance to watch and rile them up which of course they will react to in protective territorial nature for their household.

I hope you can seriously please reconsider this abatement notice as it has taken a toll on me mentally and financially and I have taken notable steps to reduce barking and as Pat said to me, the abatement notice is only because I do not have a backyard to confine the dogs to, only a front yard. So this was not even the first point of call for this barking survey results due to my property layout.

Thank you kindly,
Shontelle Castledine
Karma and Zeus

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Resolution to exclude the public

RECOMMENDATIONS

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 matter	Ground(s) under section 48 for the passing of this resolution
Deliberations for all reports	To enable the Panel to deliberate in private on the objections heard.	s48(1)(d) 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.

6 CLOSING KARAKIA