



AGENDA

Regulatory Hearings Panel meeting Monday, 3 August 2026

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

Date: Monday, 3 August 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;

- o matters under the Resource Management Act 1991; and
- o 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):
 - o 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:
 - o matters relating to the sale and supply of alcohol;
 - o matters under the Resource Management Act 1991; or
 - o 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 20 July 2026

File Number: A20798619

Author: Anahera Dinsdale, Governance Advisor

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

RECOMMENDATIONS

That the Minutes of the Regulatory Hearings Panel meeting held on 20 July 2026 be confirmed as a true and correct record.

ATTACHMENTS

1. Minutes of the Regulatory Hearings Panel meeting held on 20 July 2026



DRAFT MINUTES

**Regulatory Hearings Panel meeting
Monday, 20 July 2026**

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**MINUTES OF TAURANGA CITY COUNCIL
REGULATORY HEARINGS PANEL MEETING
HELD AT THE TAURANGA CITY COUNCIL CHAMBERS, L1, 90 DEVONPORT ROAD,
TAURANGA
ON MONDAY, 20 JULY 2026 AT 9:30 AM**

MEMBERS PRESENT: Mr Alan Tate (Chair), Ms Mary Hill, Ms Amy Robinson, Mr Brent Lincoln, Mr Puhirake Ihaka.

IN ATTENDANCE: Deidre Ewart (Head of Regulatory Support & Compliance Services), Oscar Glossop (Team Leader: Animal Services), Anahera Dinsdale (Governance Advisor), Caroline Irvin (Governance Advisor)

EXTERNAL: Objectors as listed in the minutes below.

1 OPENING KARAKIA

Mr Puhirake Ihaka opened the meeting with a karakia.

2 APOLOGIES

Nil

3 CONFIRMATION OF MINUTES

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

COMMITTEE RESOLUTION RHP/26/0/1

Moved: Mr Brent Lincoln

Seconded: Ms Mary Hill

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

CARRIED

4 DECLARATION OF CONFLICTS OF INTEREST

Nil

5 BUSINESS

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

Staff Oscar Glossop, Team Leader: Animal Services

Key Points

- The Team Leader: Animal Services presented an application under section 71(4) of the Dog Control Act 1996 seeking release of Sasha (Rottweiler) and Bluey (Staffordshire Bull Terrier cross) pending prosecution.
- He outlined allegations arising from a serious attack on 14 November 2025 involving both dogs, stating that Sasha allegedly bit both the owner and a member of the public who intervened and Bluey allegedly attacked cattle and caused injury to stock.
- He advised a previous unreported attack involving Sasha and the owner's partner had been identified during the investigation.
- Six dogs had originally been seized, with four later returned, while Sasha and Bluey remained impounded.
- Three attack charges had been filed, and the prosecution remained before the courts and conviction could result in mandatory destruction orders.
- He expressed concern about public safety should the dogs be released and stated the pound remained the safest location for the dogs.

In response to questions

- The Team Leader: Animal Services advised the attack prosecution was awaiting plea entry and could either conclude quickly or proceed to trial.
- He clarified the panel could release or retain the dogs but could not impose conditional release through this process.
- Observations had been made about the dog's behaviour while impounded and Bluey continued displaying aggressive behaviour in the pound, including repeated aggressive responses to people passing the enclosure.
- Due to safety considerations, no arrangement or opportunity would be afforded to the family if the dogs were ordered to be destroyed.

Objector Ms Hinerangi Waipouri (via Teams) representing Miss Muriwai Popata-Kaitoa

Key Points

- Ms Waipouri described the applicant's challenging personal circumstances, and how she supported Miss Popata-Kaitoa through those circumstances.
- She described Miss Popata-Kaitoa's version of events outlining that Miss Popata-Kaitoa was transporting the dogs to her mother in Porirua, but her car broke down in Pāpāmoa where the event took place.
- She stated that Sasha was very protective of Miss Popata-Kaitoa.

- She raised concern around the effect the situation had on Miss Popata-Kaitoa's mental health.
- It was the intent to transfer the dogs to Miss Popata-Kaitoa's mother for care and not directly to her. There were support structures proposed to ensure safe transport back to Porirua, responsible ownership and public safety.

In response to questions

- Ms Waipouri advised that the intended property where the dogs would be released was fully fenced and she was working with Miss Popata-Kaitoa's mother and Kainga Ora to ensure it met requirements.
- She noted that responsibility of the dogs would be shared among family, advocates, rescue organisations and the dogs' proposed new owner.

Staff Oscar Glossop, Team Leader: Animal Services

Staff in response to objector

- The Team Leader: Animal Services reiterated the risks posed by the dogs, the evidence of aggression, and recommended to retain the dogs in the pound pending the outcome of the prosecution.

COMMITTEE RESOLUTION RHP/26/0/2

Moved: Mr Alan Tate

Seconded: Mr Puhirake Ihaka

That the Regulatory Hearings Panel:

- (a) Suppresses any personal details and information relating to the applicant due to safety concerns.

CARRIED

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

Staff Oscar Glossop, Team Leader: Animal Services

Key Points

- The Team Leader: Animal Services presented an objection to a three-year dog owner disqualification.
- He reported multiple roaming incidents involving dogs Kai and Jack and advised Kai had been impounded five times which resulted in five infringement notices issued.
- He stated repeated engagement and enforcement had not achieved sustained compliance and recommended the three-year disqualification remain in place.

In response to questions

The Team Leader: Animal Services:

- Clarified complaints mainly related to roaming and public concern rather than reported attacks.
- Advised Animal Services had interacted with the owner repeatedly during enforcement actions.
- Advised the dogs had travelled significant distances and all infringements had been filed with the court.
- Stated that containment challenges existed on the dog owner's property.

Objector Ms Aroha Ririnui

Key Points

- Ms Ririnui described herself as a kaitiaki living on ancestral land.
- She acknowledged prior failures to adequately control the dogs and apologised to the community.
- She explained she had significantly reduced work commitments to focus on training and supervision of her dogs.
- She detailed intensive boundary training, leash control, cages, runs and containment measures and advised there had been no further roaming incidents since implementing these changes.
- She expressed that the dogs formed an important part of her family and environmental work.

In response to questions

- Ms Ririnui confirmed the dogs had already been neutered and advised she had acquired and rescued the dogs in July 2024.

Staff Oscar Glossop, Team Leader: Animal Services

Staff in response to objector

- The Team Leader: Animal Services acknowledged training efforts but submitted the number of incidents demonstrated an entrenched pattern and maintained that responsible ownership had not yet been demonstrated sufficiently.
- He recommended the disqualification remain in place.

Attachments

1 5.2 - Aroha Ririnui - Aku mokai Kai Gak

At 11.37am the meeting adjourned.

At 12.01pm the meeting resumed in open.

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

Staff Oscar Glossop, Team Leader: Animal Services

Key Points

- The Team Leader: Animal Services presented an application seeking the release of dogs Rambo and Oreo, pending prosecution.
- He described a serious attack on a horse on Pāpāmoa Beach and stated both dogs pursued and bit the horse causing significant injuries to the horse.
- He noted Rambo had a previous menacing classification arising from an Auckland incident.
- He advised that prosecution was underway for this incident and was scheduled before the District Court.
- He recommended both dogs remain impounded.

In response to questions

The Team Leader: Animal Services:

- Advised no injury to the rider had been reported.
- Identified a reputational risk to the Council should the dogs be released and reoffend.
- Clarified prosecution remained at first appearance stage and advised that the Panel could not impose enforceable release conditions.

Objector Counsel Ms Bev Edwards representing Ms Pearl Li Si

Key Points

- Ms Edwards argued the panel was not determining guilt but assessing future risk.
- She stated the dogs could be safely contained at home through a highly secure arrangement and described locks, gated access, secure fencing and a separate sleepout used for containment.
- She argued the beach incident was a unique and unprecedented event involving horses and advised both dogs had previously exercised on the beach for approximately two years without issue.
- She detailed the owner's actions towards behavioural controls for the dogs and proposed ongoing management measures.

In response to questions

Miss Edwards:

- Advised that the owner misunderstood the muzzle requirements and stated that the event

escalated too quickly for leads to be applied to the dogs.

- Explained Rambo was implicated on an earlier matter involving an elderly cat and confirmed Oreo had no known adverse history.
- Explained the owner had reliance on recall collars and had prior successful beach visits with the collars.

Staff Oscar Glossop, Team Leader: Animal Services

Staff in response to objector

- The Team Leader: Animal Services reiterated witness evidence indicated the owner had failed to control the dogs and noted that one dog had not been muzzled despite classification requirements.
- Confirmed the dogs were healthy and receiving care in the pound.
- He recommended both dogs remain retained pending prosecution.

Attachments

- 1 FINAL REG PANEL Submissions Pearl Li 13.07.2026

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

Staff Oscar Glossop, Team Leader: Animal Services

Key Points

- The Team Leader: Animal Services presented the objection to barking abatement noting the repeated complaints about persistent barking from Ms Castledine's dogs.
- He summarised the steps taken by Animal Services, and the rationale for issuing the abatement notice requiring anti-bark collars.
- He recommended the Barking abatement notice be confirmed by the Panel.

In response to questions

- Confirmed that there were different types of legal anti-barking collars and the effectiveness of these.

Objector Ms Shontelle Castledine

Key Points

- Ms Castledine stated that her dogs barked in response to other dogs, cats, people looking at the dogs, and activity near the fence line rather than barking without cause.
- She stated that neighbouring dogs frequently barked and that a small neighbouring dog regularly escaped its property and approached her fence, which she believed triggered barking from her dogs.
- She advised that her dog Karma, a German Shepherd, had been stolen between October and January and was not at her property during that period. She stated that any complaints during that time should be assessed in that context as she believed her dog Karma would have been readjusting to being at home after such events.
- She referred to an April complaint regarding aggressive behaviour at the fence line and said she had been told that the dogs could not harm anyone over the fence and that no issue had been identified.
- She confirmed that she had purchased anti-barking collars, maintained records of complaints, and taken steps to reduce roadside visibility and barking triggers.
- She questioned whether adequate inspection of her property had occurred, stating that the yard itself had not been inspected.
- She believed her dogs were being unfairly targeted.

In response to questions

- Ms Castledine confirmed that the collars had been used and said the instructions had been confusing. She noted that she had not noticed the dogs barking more or less than usual while using them.
- She expressed concerns about the dogs becoming tangled in the collars while playing and referred to a previous near-death incident for her dogs involving the anti-barking collars.
- Ms Castledine agreed that tethering did present risks and stated that she monitored the dogs through cameras when away from home.

Discussion points raised

- Ms Castledine noted that her property had been listed for sale for a month.
- She acknowledged that the barking abatement notice was only for her current address, but she was unsure how long it would take to sell her property.
- Stated that a threat to kill her dogs had been made after less than one minute of barking and expressed concern that the threats had not been taken seriously and neither Council nor police had undertaken door-to-door enquiries regarding the threats.
- She explained that she had personally spoken politely with neighbours and had attempted to minimise barking issues.

Staff Oscar Glossop, Team Leader: Animal Services

Staff in response to objector

- Summarised that evidence showed the dogs were barking and that barking appeared to be the source of the issues raised.
- Confirmed that anti-barking collars had been purchased and were being used in accordance with the abatement notice conditions.

- Stated that the dogs were not currently registered for the new registration year.

At 1.52pm the meeting adjourned.

At 2pm the meeting resumed.

6 PUBLIC EXCLUDED

COMMITTEE RESOLUTION RHP/26/0/3

Moved: Mr Alan Tate

Seconded: Ms Mary Hill

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
6.1 – Deliberations – Muriwai Popata- Kaitoa – Application for release of dogs – Section 71 (4), Dog Control Act 1996	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.
6.2 – Deliberations – Aroha Ririnui - Objection to disqualificat ion as a dog owner	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.
6.3 – Deliberations – Pearl Li Si	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

– Application to release of dogs – Section 71 (4) – Dog Control Act 1996		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.
6.4 – Deliberations – Shontelle Castledine – Objection to Barking Abatement Notice	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 2:17pm the meeting resumed in open.

5 BUSINESS CONTINUED

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

COMMITTEE RESOLUTION RHP/26/0/4

Moved: Mr Alan Tate

Seconded: Mr Puhirake Ihaka

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:
 - (i) **Uphold** the retention of both dogs pending prosecution.

CARRIED

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

COMMITTEE RESOLUTION RHP/26/0/5

Moved: Mr Alan Tate

Seconded: Ms Mary Hill

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:
 - (i) **Uphold** the disqualification - for one year affective from 28 December 2025.

CARRIED

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

COMMITTEE RESOLUTION RHP/26/0/6

Moved: Mr Brent Lincoln

Seconded: Mr Puhirake Ihaka

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:
 - (i) **Uphold** the retention of both dogs' pending prosecution.

CARRIED

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

COMMITTEE RESOLUTION RHP/26/0/7

Moved: Ms Mary Hill

Seconded: Ms Amy Robinson

That the Regulatory Hearings Panel:

- (a) Receives the report "Regulatory Hearings Panel Report - Objection to Barking Abatement Notice - Shontelle Castledine".
- (b) **Confirms** the Barking Abatement Notice issued on 27 May 2026.

CARRIED

6 CLOSING KARAKIA

Mr Puhirake Ihaka closed the meeting with a karakia.

The meeting closed at 2:34pm.

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 - Objection to Disqualification as a Dog Owner - Abigail Waters

File Number: A20701149

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 by Abigail Waters to being disqualified as a dog owner under section 26 of the Dog Control Act 1996 ("the Act").

RECOMMENDATIONS

That the Regulatory Hearings Panel:

- (a) Receives the report "Regulatory Hearings Panel Report - Objection to Disqualification as a Dog Owner - Abigail Waters".
- (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 16 June 2026, Abigail Louise Waters was served with a notice disqualifying her from dog ownership following multiple infringement offences within a continuous 24-month period.
3. The statutory threshold for disqualification was met through a series of separate infringement offences involving failure to comply with barking abatement requirements and failure to keep dogs under control.
4. The Objector subsequently submitted a written objection requesting either revocation of the disqualification or a probationary approach.
5. The objection relies principally on changes made since the disqualification process commenced, including the rehoming of Delta, the death of Tigger, improved containment measures, and the claim that Loki is no longer causing issues.
6. Animal Services acknowledges these actions. However, the objection must be considered in the context of the Objector's longstanding compliance history, repeated enforcement interventions, and continued offending despite previous warnings, notices, abatement processes, infringements, and regulatory engagement.
7. Animal Services considers the disqualification remains appropriate, proportionate, and consistent with the purpose of the Act.

BACKGROUND

8. The Objector, Abigail Louise Waters, was the owner of multiple dogs, including Loki, a male Mastiff Labrador Retriever cross, Delta, an American Staffordshire Terrier Rhodesian Ridgeback cross, and Tigger.

9. Animal Services records demonstrate a prolonged history of complaints, investigations and enforcement actions involving barking, roaming, failure to comply with barking abatement requirements, and control-related incidents associated with dogs owned by the Objector.
10. The Objector has been before the Panel previously, in March 2023, to appeal a barking abatement notice for her dogs Delta and Loki. On this occasion the Panel upheld the barking abatement notice. (Attachment 1)
11. **On 10 August 2025** an infringement notice was issued for failure to comply with a barking abatement notice relating to Loki not wearing a required anti-bark collar.
12. **On 7 January 2026** Delta rushed at another dog in a shared driveway. Following investigation an infringement notice was issued for failure to keep a dog under control and Delta was classified as menacing by deed. The **menacing classification** was served on 28 January 2026.
13. **On 21 March 2026** Loki was reported on a neighbouring property after previous concerns regarding fencing had already been raised with the Objector. Following investigation an infringement notice was issued under section 53(1) for failure to keep a dog under control on private property.
14. **On 13 April 2026** Loki was again reported roaming from the Objector's property. The investigation established that the dog had escaped through a fence that the Objector acknowledged had failed. A further infringement notice was issued for failure to keep a dog under control.
15. **On 12 June 2026** Animal Services attended the property and observed Loki not wearing the anti-bark collar required under an existing barking abatement notice. A further infringement notice was issued for failure to comply with the barking abatement notice.
16. The Objector was disqualified from dog ownership and signed receipt of the disqualification on 16 June 2026. (Attachment 2)
17. The Objector subsequently objected to the disqualification. (Attachment 3)

Objection element 1

18. The Objector advises that Delta has been rehomed.
19. Animal Services recognises that rehoming Delta reduces the number of dogs associated with the property. However, the disqualification decision relates to the Objector's ownership history and compliance record rather than the presence of any single dog. Delta was involved in a control-related incident that resulted in both an infringement and a menacing classification. The rehoming of Delta is a positive step but does not alter the historical pattern of offending that gave rise to the disqualification.

Objection element 2

20. The Objector advises that Tigger has been euthanised due to old age and that Loki is now the only remaining dog.
21. Animal Services accepts that Tigger is no longer present at the property. However, the reduction in dog numbers does not change the infringement history that resulted in disqualification. Animal Services notes that Loki was the subject of multiple complaints and infringement offences, including barking-related enforcement and roaming incidents. The statutory assessment concerns responsible ownership and previous offending rather than simply the number of dogs currently owned.

Objection element 3

22. The Objector states that Loki cannot get out because the fencing is now secure and that there have been no complaints involving Loki since the recent changes were made.
23. Animal Services acknowledges the claimed fencing improvements. However, similar assurances regarding fencing and containment were made during previous investigations. Records show that after concerns were raised regarding fencing and containment,

subsequent roaming incidents still occurred and infringement notices continued to be issued. While any improvement in containment is positive, the current period of compliance is relatively recent and follows the initiation of disqualification proceedings. Animal Services considers that the historical pattern remains a relevant indicator when assessing the competency of the owner in terms of responsible dog ownership.

Objection element 4

24. The Objector states that Loki has continued to wear a bark collar and is mainly kept inside.
25. Animal Services notes the statement. However, one of the infringement offences underpinning the disqualification arose because Loki was observed not wearing the required bark collar when Animal Services attended the property on 12 June 2026. Previous enforcement history also includes an infringement issued for non-compliance with a barking abatement notice on 10 August 2025. While current compliance is noted, the existing record demonstrates previous failures to consistently comply with barking control requirements.

Objection element 5

26. The Objector states that neighbours have advised her that Loki is more relaxed now that he is the only dog at the property.
27. Animal Services does not dispute that neighbours may have observed an improvement in Loki's behaviour. However, no formal statements have been provided for consideration. Even if accepted, the observation primarily relates to the current behaviour of Loki and does not materially alter the infringement history, menacing dog incident, repeated barking complaints, roaming incidents, and enforcement actions that form the basis of the disqualification assessment.

STATUTORY CONTEXT

28. 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.
29. This report references several sections of the Dog Control Act 1996 which prescribe obligations and provisions:
 - (i) Section 5 – Obligations of dog owners.
 - (ii) Section 20 – Dog control requirements.
 - (iii) Section 25 – Disqualification of owners.
 - (iv) Section 26 – Objection to disqualification.
 - (v) Section 27 – Appeal to District Court.
 - (vi) Section 28 – Effect of disqualification.
30. In considering an objection to disqualification, the territorial authority must have regard to:
 - (i) The circumstances and nature of the offence or offences.
 - (ii) The competency of the person objecting in terms of responsible dog ownership.
 - (iii) Any steps taken by the owner to prevent further offences.
 - (iv) The matters advanced in support of the objection.
 - (v) Any other relevant matters.
31. The statutory threshold of three infringement offences within a 24-month period has been met.
32. The Tauranga City Council Regulatory Hearings Panel has authority to make decisions by way of delegation as per the Local Government Act 2002.
33. The Objector may appeal the decision of the Regulatory Hearings Panel to the District Court.

34. 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 resides at the same address as the person disqualified.

STRATEGIC ALIGNMENT

35. 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	☐

36. The matter aligns with Tauranga City Council's objectives of public safety, responsible dog ownership, and effective regulatory enforcement to minimise harm to people and animals.

OPTIONS ANALYSIS

37. **Option 1: Uphold** the disqualification (Recommended) This option recognises the repeated infringement offending, extended enforcement history, previous barking abatement requirements, roaming incidents, and the menacing classification issued during the relevant period. It appropriately reflects the Objector's demonstrated history of non-compliance despite progressive regulatory intervention. **Or**
38. **Option 2: Bring forward** the date of termination of the disqualification This option would place greater weight on the recent rehoming of Delta, the reduction in dog numbers, and recent containment measures. However, Animal Services considers the available period of demonstrated compliance is limited when compared with the broader history of offending. **Or**
39. **Option 3: Immediately terminate** the disqualification This option would place full reliance on recent corrective actions. Animal Services does not consider this option justified given the number of infringements, the duration of the compliance history, and the repeated need for enforcement action.

FINANCIAL CONSIDERATIONS

40. There are no foreseeable financial considerations associated with this decision.

RISKS AND LEGAL IMPLICATIONS

41. The decision must be demonstrably based on evidence and statutory authority to withstand judicial review.

TE AO MĀORI APPROACH

42. This matter is a regulatory enforcement issue. No specific Te Ao Māori considerations have been identified as applicable.

CONSULTATION / ENGAGEMENT

43. Engagement has been completed with the Objector. Further engagement is not applicable for this matter.

SIGNIFICANCE

44. 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.

45. 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.
46. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance.

ENGAGEMENT

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

NEXT STEPS

48. Following the hearing, the Panel's decision will be formally notified to the Objector. Any ongoing compliance or enforcement actions will be undertaken in accordance with the final determination.
49. 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 resides at the same address as the person disqualified.

ATTACHMENTS

1. **Decision on barking abatement objection 2023** - [!\[\]\(d6acf67311aadd559a1d2a684dfb2f56_img.jpg\)](#) 
2. **Disqualification Letter** - [!\[\]\(05686b87139fdfad7fd1cbc2c0d90d05_img.jpg\)](#) 
3. **Objection to disqualification** - [!\[\]\(c4ea1e225bd8e20a780a4a7cdcba9e22_img.jpg\)](#) 

3 May 2023



Ms Abigail Waters

By email:

Tēnā koe Abigail

DECISION ON OBJECTION TO BARKING ABATEMENT NOTICE

Your objection to the barking abatement notice issued to you (dogs Delta and Loki) was considered by the Regulatory Hearings Panel on 10 March 2023.

The decision of the Regulatory Hearings Panel is:

That the Regulatory Hearings Panel:

- (a) Receives the report "Objection to Barking Abatement Notice - Abigail Waters".
- (b) Upholds and confirms the abatement notice.

Reasons for decisions:

- The Regulatory Hearings Panel (the Panel) gave weight to the evidence that there had been repeated complaints from different parties regarding the dogs at Ms Waters property causing nuisance by loud and persistent barking. No further evidence was provided by Ms Waters to the Panel.
- The Panel noted that, while there had been compliance with the abatement notice, further complaints about barking had been received. Council animal services staff were working with Ms Waters on use of anti-barking collars and other barking management measures.
- The Dog Control Act 1996 s55(1) provides that the officer may issue a notice:
 - (a) Requiring the owner to abate the nuisance; or
 - (b) Remove the dog.

The Panel felt that an abatement notice was an appropriate course of action to follow and confirmed the notice.

Thank you for your participation in the hearing process.

Yours sincerely

A handwritten signature in cursive script, reading "Mary Dillon", on a light-colored background.

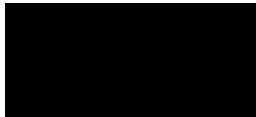
Mary Dillon
Chairperson
Regulatory Hearings Panel

DISQUALIFICATION FROM DOG OWNERSHIP



12 JUNE 2026

ABIGAIL WATERS



Delivery Confirmation:

Recipient name: *Abigail*
Signature:
Date: *15/6/26* Time: *11-30*
Served by: *Steph Sweeney*
Signature:

Notice of disqualification from dog ownership (Section 25, Dog Control Act 1996)

This is to inform you that you have been disqualified under section 25 (1) (a) of the Dog Control Act 1996 from owning any dog.

This follows three or more infringement offences (not relating to a single incident or occasion) having been committed by you, within a continuous period of 24 months.

This disqualification will apply from 21 March 2026 and will expire on 20 March 2029.

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

A handwritten signature in blue ink, appearing to be "Oscar Glossop".

Yours sincerely,

Oscar Glossop
Animal Services: Team Leader
07 577 7000
info@tauranga.govt.nz

EFFECT OF DISQUALIFICATION***Section 28, Dog Control Act 1996***

You are required to dispose of every dog owned by you within 14 days of the date of this notice. However, you may not dispose of a dog:

- to a person who resides at the same address as you.
- in a way that constitutes of an offence against the Dog Control Act 1996 or any other Act.

You must not become the owner, even on a temporary basis, of any dog while you are disqualified. You may have possession of a dog only for the purpose of:

- preventing it from causing injury, damage, or distress.
- returning, within 72 hours, a lost dog to a territorial authority for the purpose of restoring the dog to its owner.

You will commit an offence and be liable on conviction to a fine not exceeding \$3000 if you:

- fail to dispose of every dog owned by you within 14 days of this notice.
- at any time while disqualification, become the owner of any dog.
- dispose of a dog owned by you:
 - to a person who resides at the same address as you.
 - in a manner that constitutes an offence against the Dog Control Act 1996 or any other Act.

If you are convicted of the first or second of these offenses, your period of disqualification may be further extended. You will also commit an offence and be liable on conviction to a fine not exceeding \$3000 if you dispose or give custody or possession of a dog to a person knowing that person to be disqualified from ownership under section 25 of the Dog Control Act 1996.

Full details of the effect of disqualification are provided in the Dog Control Act 1996.

RIGHT OF OBJECTION TO DISQUALIFICATION***Section 26, Dog Control Act 1996***

You may object to the disqualification by lodging a written objection with Tauranga City Council setting out the grounds on which you object. You are entitled to be heard in support of your objection and will be notified of the time and place when your objection will be heard.

No objection can be lodged within 12 months of the hearing of any previous objection to the disqualification. If an objection is lodged within 14 days after the date of this notice, the requirement to dispose of every dog owned by you will be suspended until Tauranga City Council has determined the objection.

There is a further right of appeal to a District Court if you are dissatisfied with the decision of Tauranga City Council on your objection.

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

From:

Sent: Tuesday, June 23, 2026 6:45 PM

To: info@tauranga.govt.nz

Subject: Attention: Oscar- animal management

Hi Oscar,

I'm writing to object to my disqualification and request a probation period for Loki.

I'm aware that fines are the reason we are in this position however I have rehomed Delta in early May and Tigger is no longer with us either. I chose to rehome Delta as she was the main issue at this property. The last fines for Loki jumping into the neighbours property were incorrect that was Delta jumping the fence (we know this because me and my 15 year old son caught her on separate occasions) I did mention this to the animal services officer that it was not Loki at the time but they said that since she is classed as a menacing dog that would in-fact cause more problems.

The last roaming complaint for Loki was when my fence had physically been blown over in the big storm we had here. He cannot jump or get out of the property.

Delta has always been super territorial and was the leader of the pack and she was a menace running around the property being over protective. Now that he is on his own he is so relaxed and doesn't even seem to bother with what goes on outside of the house.

I'm aware he has also had problems with barking in the past, now that he is an only dog and completely calmed down with Delta being removed from the property he is able to be left inside the house while we are out. There will be no barking issues either.

I really implore you to consider even a probation period to prove there will be no issues with the changes we have made in circumstances. I'm a single mum with 4 kids he is a huge part of our family and so loved, we have already gone from 3 loved pets down to one since February and it will be heartbreaking to lose him too.

Feel free to reach out and call me if you want to talk about this.

Kind regards

Abigail

5.2 Regulatory Hearings Panel Report - Objection to Disqualification as a Dog Owner - Jordan Cooney

File Number: A20701152

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 from Jordan Cooney to being disqualified as a dog owner under section 26 of the Dog Control Act 1996 ("the Act").

RECOMMENDATIONS

That the Regulatory Hearings Panel:

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

The Objector Jordan Cooney has lodged an objection to disqualification from dog ownership imposed pursuant to section 25 of the Dog Control Act 1996.

The disqualification was issued after the Objector committed three infringement offences within a continuous 24-month period.

The statutory threshold for disqualification has been met. Animal Services considers the objection does not sufficiently displace the concerns regarding the Objector's competency in responsible dog ownership and recommends that the disqualification be upheld.

BACKGROUND

2. The Objector is the owner of one dog, Zeb, a 5-year-old entire male American Bulldog/Mastiff cross.
3. Animal Services' engagement with the Objector has occurred over multiple incidents involving registration non-compliance, roaming complaints, and enforcement action.
4. On **10 October 2024** Animal Services located Zeb roaming on Welcome Bay Road and followed the dog back to the Objector's property. The Objector was identified as the owner and advised registering the dog. Subsequent checks confirmed the dog remained unregistered and an infringement notice was issued on 7 November 2024 for failure to register a dog.
5. On **14 April 2025** Animal Services received a complaint that Zeb was roaming near Maungaarangi Preschool on Esmeralda Street. The complainant provided photographic evidence and a written statement. Investigation confirmed the dog involved was Zeb and an infringement notice was issued for failure to keep the dog under control.

6. Animal Services also received a barking complaint concerning Zeb during March 2025. Following investigation, advice was provided to the Objector, and a Barking 1 letter was issued.
7. On **21 March 2026** Animal Services received a further complaint regarding Zeb roaming in Welcome Bay. Additional complaints and information relating to the same roaming behaviour were subsequently received from separate members of the public on 22 March and 24 March 2026.
8. Animal Services officers attended the Objector's address on 26 March 2026. During that visit the Objector acknowledged that Zeb was regularly escaping from the property, advising that the dog was capable of jumping fences and that gates were sometimes left open. Animal Services discussed alternative containment options and methods available to improve compliance. Despite previous engagement and enforcement action, a further infringement was issued for failure to keep the dog under control.
9. These infringements occurred on separate occasions within a continuous 24-month period and satisfied the statutory threshold for disqualification under section 25 of the Dog Control Act 1996.
10. A disqualification was subsequently issued for a period of three years on the basis of the infringement history and the demonstrated pattern of non-compliance despite progressive enforcement intervention. (Attachment 1)
11. In the Objector's written submission, responsibility for the roaming behaviour is accepted. The Objector states that Zeb has no history of aggression towards people or animals and submits that the offending resulted from inadequate containment infrastructure rather than behavioural issues. The Objector further advises that fencing improvements are being undertaken, damaged containment measures are being replaced, gate repairs have been completed, supervision has increased, and that desexing is being considered as an additional step to reduce roaming behaviour. (Attachment 2 & Attachment 3)

Objection element 1

12. The Objector acknowledges the previous roaming incidents and infringement notices, accepts responsibility, and requests consideration of the circumstances leading to the offences.
13. Animal Services acknowledges the acceptance of responsibility. However, the statutory threshold for disqualification is based upon the commission of three or more infringement offences within a continuous 24-month period. This threshold has been met.
14. Acceptance of responsibility is a relevant factor but does not alter the established infringement history nor remove the requirement for the Panel to consider competency in responsible dog ownership. Despite previous engagement, advice, warnings and enforcement action, compliance was not achieved.

Objection element 2

15. The Objector submits that Zeb has no history of aggression toward people or animals and that the issue relates to containment rather than behavioural aggression.
16. Animal Services accepts that the disqualification was not based upon aggressive behaviour and no aggression finding is required to support a disqualification under section 25 of the Act.
17. The relevant issue is repeated non-compliance resulting in infringement offences and demonstrated inability to maintain effective control of the dog. The absence of aggression does not negate the established pattern of roaming and non-compliance that resulted in the statutory threshold being met.
18. Animal Services has raised with the Panel before, and re-iterates, that the public may feel unsafe when they are confronted by an uncontrolled dog and any actual risk posed by that dog may have no bearing on that feeling of safety.

19. Furthermore, it is the submission of Animal Services that the Objector cannot attest to the behaviour of their dog definitively when the dog is roaming.

Objection element 3

20. The Objector submits that inadequate fencing and containment infrastructure allowed the dog to escape and that severe weather damaged temporary containment measures.
21. Animal Services acknowledges the explanation provided. However, ensuring adequate containment is a fundamental responsibility of dog ownership.
22. Council records indicate that concerns relating to Zeb's management and roaming behaviour have existed for an extended period and across multiple incidents.
23. The March 2026 investigation recorded the Objector's admission that the dog escaped by jumping fences and through gate-related issues. Animal Services discussed alternative containment options during that visit. Despite previous opportunities to address these concerns, offending behaviour continued.
24. Accordingly, the explanation assists in identifying the cause of the offences but does not displace responsibility for preventing further occurrences.

Objection element 4

25. The Objector submits that increased supervision is now being undertaken, with the dog only outside under direct supervision or restraint.
26. Animal Services notes the intent to address supervision.
27. However, the proposed intent appears largely reactive following initiation of the disqualification process. Previous enforcement actions, including roaming correspondence, infringement notices, registration enforcement and direct officer engagement, did not result in sustained compliance, despite similar assertions.

Objection element 5

28. The Objector advises that neutering is being considered to reduce roaming behaviour.
29. Animal Services notes that desexing may assist with some drivers of roaming behaviour, but it does not remove the requirement for adequate containment and responsible ownership.
30. The Panel is required to consider any steps taken to prevent future offending. However, at the time of the objection, the evidence available demonstrates intentions and proposed actions, seemingly prompted by AI tools, rather than actual actions and a sustained record of compliance following implementation.
31. In the absence of evidence demonstrating actual actions taken and a prolonged period of successful compliance. Animal Services considers that, even if the proposed measures are all undertaken, this is insufficient to outweigh the history of repeated infringements.

STATUTORY CONTEXT

32. 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.
33. This report references several sections of the Dog Control Act 1996 which prescribe obligations and provisions:
 - (i) Section 5 – Obligations of dog owners.
 - (ii) Section 20 – Dog control requirements.
 - (iii) Section 25 – Disqualification of owners.
 - (iv) Section 26 – Objection to disqualification.
 - (v) Section 27 – Appeal to District Court.
 - (vi) Section 28 – Effect of disqualification.

34. In considering an objection to disqualification, the territorial authority must have regard to:
- (i) The circumstances and nature of the offence or offences.
 - (ii) The competency of the person objecting in terms of responsible dog ownership.
 - (iii) Any steps taken by the owner to prevent further offences.
 - (iv) The matters advanced in support of the objection.
 - (v) Any other relevant matters.
35. The statutory threshold of three infringement offences within a 24-month period has been met.
36. The Tauranga City Council Regulatory Hearings Panel has authority to make decisions by way of delegation as per the Local Government Act 2002.
37. The Objector may appeal the decision of the Regulatory Hearings Panel to the District Court.
38. 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 resides at the same address as the person disqualified.

STRATEGIC ALIGNMENT

39. 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	☐

40. The matter aligns with Tauranga City Council's objectives of public safety, responsible dog ownership, and effective regulatory enforcement to minimise harm to people and animals.

OPTIONS ANALYSIS

41. **Option 1: Uphold** the disqualification (Recommended) This option recognises the repeated infringement offending. It appropriately reflects the Objector's demonstrated history of non-compliance despite progressive regulatory intervention. **Or**
42. **Option 2: Bring forward** the date of termination of the disqualification. This option places weight on the proposed actions and compliance of the Objector. **Or**
43. **Option 3: Immediately terminate** the disqualification This option would place full reliance on recent corrective actions. Animal Services does not consider this option justified given the number of infringements, the duration of the compliance history, and the repeated need for enforcement action.

FINANCIAL CONSIDERATIONS

44. There are no foreseeable financial considerations associated with this decision.

RISKS AND LEGAL IMPLICATIONS

45. The decision must be demonstrably based on evidence and statutory authority to withstand judicial review.

TE AO MĀORI APPROACH

46. This matter is a regulatory enforcement issue. No specific Te Ao Māori considerations have been identified as applicable.

CONSULTATION / ENGAGEMENT

47. Engagement has been completed with the Objector. Further engagement is not applicable for this matter.

SIGNIFICANCE

48. 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.
49. 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.
50. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance.

ENGAGEMENT

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

NEXT STEPS

52. Following the hearing, the Panel's decision will be formally notified to the Objector. Any ongoing compliance or enforcement actions will be undertaken in accordance with the final determination.
53. 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 resides at the same address as the person disqualified.

ATTACHMENTS

1. Disqualification Letter -  
2. Objection to disqualification -  
3. Proposed corrective actions -  

DISQUALIFICATION FROM DOG OWNERSHIP



1 July 2026

JORDAN COONEY

Delivery Confirmation:

Recipient *Served to mailbox*

Signature: [Redacted]

Date: *03/7/26* Time: *145*

Served by: *Steph Sweeney*

Signature: [Redacted]

Notice of disqualification from dog ownership (Section 25, Dog Control Act 1996)

This is to inform you that you have been disqualified under section 25 (1)(a) of the Dog Control Act 1996 from owning any dog.

This follows three or more infringement offences (not relating to a single incident or occasion) having been committed by you, within a continuous period of 24 months.

This disqualification will apply from 21 March 2026 and will expire on 20 March 2029.

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

Yours sincerely,

A handwritten signature in black ink, appearing to be "Oscar Glossop".

Oscar Glossop
Animal Services: Team Leader
07 577 7000
info@tauranga.govt.nz

EFFECT OF DISQUALIFICATION
Section 28, Dog Control Act 1996

You are required to dispose of every dog owned by you within 14 days of the date of this notice. However, you may not dispose of a dog:

- to a person who resides at the same address as you.
- in a way that constitutes of an offence against the Dog Control Act 1996 or any other Act.

You must not become the owner, even on a temporary basis, of any dog while you are disqualified. You may have possession of a dog only for the purpose of:

- preventing it from causing injury, damage, or distress.
- returning, within 72 hours, a lost dog to a territorial authority for the purpose of restoring the dog to its owner.

You will commit an offence and be liable on conviction to a fine not exceeding \$3000 if you:

- fail to dispose of every dog owned by you within 14 days of this notice.
- at any time while disqualification, become the owner of any dog.
- dispose of a dog owned by you:
 - to a person who resides at the same address as you.
 - in a manner that constitutes an offence against the Dog Control Act 1996 or any other Act.

If you are convicted of the first or second of these offenses, your period of disqualification may be further extended. You will also commit an offence and be liable on conviction to a fine not exceeding \$3000 if you dispose or give custody or possession of a dog to a person knowing that person to be disqualified from ownership under section 25 of the Dog Control Act 1996.

Full details of the effect of disqualification are provided in the Dog Control Act 1996.

RIGHT OF OBJECTION TO DISQUALIFICATION
Section 26, Dog Control Act 1996

You may object to the disqualification by lodging a written objection with Tauranga City Council setting out the grounds on which you object. You are entitled to be heard in support of your objection and will be notified of the time and place when your objection will be heard.

No objection can be lodged within 12 months of the hearing of any previous objection to the disqualification. If an objection is lodged within 14 days after the date of this notice, the requirement to dispose of every dog owned by you will be suspended until Tauranga City Council has determined the objection.

There is a further right of appeal to a District Court if you are dissatisfied with the decision of Tauranga City Council on your objection.

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

Subject: Disqualification on third or subsequent infringement.

There is information I would like to take into consideration regarding my possible Disqualification.

I acknowledge the previous roaming incidents and infringement notices regarding my dog. I understand the concern this has raised and take responsibility for ensuring the dog is properly contained at all times.

The dog has no history of aggression or harm toward people or animals. The issue has been repeated escape from my property due to inadequate containment infrastructure rather than behavioural aggression.

My property is currently fenced; however, the fence height and structure has proven insufficient to contain a dog capable of jumping it. Temporary netting was installed at the rear boundary, but this was damaged during recent severe weather and is being replaced with a more secure fixed reinforcement system.

In addition, there have been gate access issues, including a period where the gate was damaged and awaiting repair, which has since been addressed. I have also implemented stricter supervision and the dog is now only outside under direct supervision or restraint.

I am taking further corrective action including reinforcing the fencing to prevent jumping and I am willing to proceed with neutering to reduce roaming behaviour.

I respectfully request that these steps be taken into consideration when assessing the proposed disqualification, as I am actively addressing the underlying causes to prevent any further incidents.

To: info@tauranga.govt.nz

Subject: Dog Management plan of Compliance

Owner: Jordan Cooney

Dog: Zebidiah

Date: 26th June 2026

1. Purpose

This plan outlines the corrective actions I am implementing to ensure my dog is effectively contained at all times and to prevent any further roaming incidents. The goal is full compliance with council dog control requirements and elimination of future breaches.

2. Summary of Issue

The dog has previously escaped from my property on multiple occasions, resulting in roaming incidents and infringement notices.

There has been no history of aggression, attacks, or injury to people or animals.

The issue has been identified as a containment failure (fence height and gate security), not behavioural aggression.

3. Immediate Control Measures (Already in place)

The following measures are currently active:

The dog is not left outside unsupervised

The dog is only outside under direct supervision or restraint

The dog is leashed when supervision cannot be actively maintained

Access to the front/back yard is controlled at all times

4. Physical Containment Upgrades (In Progress / To Be Completed)

To prevent further escapes, I am implementing permanent containment improvements:

Fence reinforcement and upgrade

Existing fencing is being reinforced to prevent jumping escape

Height and structure improvements will be installed where required

Rear boundary security

Temporary netting previously installed has been replaced/secured with a more permanent fixed system using reinforced posts and tensioned mesh

Gate security improvements

Gate will be repaired and fitted with a secure, reliable locking/latching system to prevent accidental or unauthorised opening

5. Behavioural and Preventative Measures

Dog will be monitored during all outdoor activity

Dog will be kept in secure containment or on lead at all times outdoors unless fully supervised

Dog's roaming behaviour risk will be reduced through planned neutering

6. Neutering Plan

I confirm I am willing to have the dog neutered as part of behaviour and roaming risk reduction.

Appointment will be arranged within: [insert timeframe e.g. 2-4 weeks]

Evidence of procedure will be provided if required

7. Household Management Controls

To prevent accidental escapes:

Gate access will remain strictly controlled

Children and visitors will not have unsupervised access to yard areas where the dog is present

Owner maintains full responsibility for ensuring all entry/exit points are secured at all times

8. Ongoing Compliance Commitment

I understand my responsibility as a dog owner under council regulations. I am committed to ensuring:

No further roaming incidents occur

Containment systems remain secure and maintained

Immediate action is taken if any issue arises with fencing, gates, or control measures

9. Request for Consideration

Given the above corrective actions and the absence of any aggression or harm incidents, I respectfully request that this compliance plan be considered as evidence of active mitigation in relation to any pending enforcement or disqualification decision

5.3 Regulatory Hearings Panel Report - Objection to Menacing Classification - Grace Wilshaw

File Number: A20701155

Author: Oscar Glossop, Team Leader: Animal Services

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

PURPOSE OF THE REPORT

1. The purpose of this report is to determine an objection lodged by Grace Wilshaw under Section 33B, Dog Control Act 1996 against the decision of Tauranga City Council to classify the dog Tilly as *menacing by deed*, following a dog attack incident that occurred on 18 April 2026.

RECOMMENDATIONS

That the Regulatory Hearings Panel:

- (a) Receives the report "Regulatory Hearings Panel Report - Objection to Menacing Classification - Grace Wilshaw".
- (b) The Panel may:
 - (i) **Uphold** the menacing classifications (**Recommended**); or
 - (ii) **Repeal** the menacing classification.

EXECUTIVE SUMMARY

2. On 18 April 2026, the Objector's dog Tilly left the Objector's property and entered the neighbouring property where she bit another dog, causing injuries that required immediate veterinary treatment and surgical intervention.
3. Animal Services considered that, although there was no history of aggression, the unprovoked and severe nature of the attack warranted classification of Tilly as menacing and maintain this stance.

BACKGROUND

4. The Objector, Grace Wilshaw, is the registered owner of Tilly, a five-year-old female Staffordshire Bull Terrier cross.
5. Animal Services received a complaint relating to a dog attack that occurred on 18 April 2026. The complainants reported that they were on their property preparing to leave for the day when Tilly entered their property uncontrolled and bit their dog, causing injury.
6. Veterinary records obtained during the investigation confirmed that the Victim's dog sustained a laceration to the left thoraco-abdominal region requiring surgical treatment, including wound debridement, suturing, drain placement, pain management, antibiotics, and ongoing veterinary care.
7. During a formal interview, the Objector acknowledged ownership of Tilly and accepted responsibility for the dog at the time of the incident. The Objector advised that after returning home from a walk, she had left the front gate open and subsequently removed Tilly's lead inside the house while also leaving the front door open. The Objector stated that Tilly exited the property and approached neighbouring properties before the incident occurred. The

Objector accepted that the incident could have been prevented had the gate and door been properly secured.

8. Following investigation, Animal Services reviewed witness statements, the Objector's statement, veterinary evidence, and Council records. Animal Services determined that Tilly's behaviour met the threshold for classification as a menacing dog under section 33A(1)(b)(i) of the Dog Control Act 1996 on the basis that the dog had demonstrated behaviour indicating it may pose a threat to a domestic animal. A menacing classification was issued.
9. The Objector raised concerns about the classification primarily questioning whether it would affect the dog emigrating to Australia and so an objection was acknowledged. In support of her objection, the Objector submits that Tilly was initially behaving in a friendly and excitable manner, that the dog was attempting to greet people, and that the dog's demeanour changed immediately prior to the bite. Similar comments were provided by an independent witness who observed portions of the incident.
10. Animal Services acknowledges these submissions. However, the classification was not based on a determination of Tilly's motivation, temperament, or emotional state immediately before the bite occurred. Rather, the classification was based on the reported and admitted behaviour that Tilly left her property uncontrolled, entered a neighbouring property, and bit another dog causing injuries requiring veterinary treatment. Regardless of the stimulus or circumstances immediately preceding the bite, the incident demonstrates behaviour that Animal Services considered may pose a threat to other domestic animals.
11. The Objector also submits that the incident resulted from an isolated lapse in management, namely the front gate and front door being left open. Animal Services accepts the Objector's admission that the incident could have been prevented through effective containment. However, this acknowledgement supports rather than undermines the finding that Tilly was not under effective control at the time of the incident. While the containment failure explains how the incident occurred, it does not alter the resulting attack behaviour or the injury sustained by the victim dog.
12. The objection further outlines corrective actions taken since the incident, including engaging a professional dog trainer, obtaining a muzzle, and implementing additional management and containment practices. Animal Services acknowledges these measures and considers them positive steps directed at preventing future incidents. These actions are relevant considerations when assessing the objection and demonstrate a willingness to comply with statutory requirements. However, they do not alter the facts of the incident upon which the classification was based.
13. Animal Services notes that the purpose of a menacing classification is not punitive. Rather, it is a regulatory mechanism intended to manage future risk where a dog has demonstrated behaviour indicating it may pose a threat to persons or animals. The actions subsequently taken by the Objector are consistent with that risk management objective and do not negate the basis upon which the classification was imposed.
14. Accordingly, Animal Services considers that the menacing classification remains justified, proportionate, and consistent with the purpose of the Dog Control Act 1996.

STATUTORY CONTEXT

15. Under Section 33A(1)(b)(i), Dog Control Act 1996, a territorial authority may classify a dog as menacing that the authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of any observed or reported behaviour of the dog.
16. Owners have the right to object to such a classification under Section 33B, with the objection determined by the Regulatory Hearings Panel.
17. In considering the objection the Panel may uphold or rescind the classification, and in making its determination must have regard to—
 - (a) the evidence which formed the basis for the classification; and

- (b) any steps taken by the owner to prevent any threat to the safety of persons or animals; and
- (c) the matters relied on in support of the objection; and
- (d) any other relevant matters.

STRATEGIC ALIGNMENT

18. 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	☐

19. The matter aligns with Tauranga City Council's objectives of **public safety**, **responsible dog ownership**, and **effective regulatory enforcement** to minimise harm to people and animals.

OPTIONS ANALYSIS

- (a) The Panel may:
 - (i) **Uphold** the menacing classifications (**Recommended**); or
 - (ii) **Repeal** the menacing classification, if not satisfied the statutory threshold was met.

FINANCIAL CONSIDERATIONS

20. There are no foreseeable financial considerations associated with this decision.

RISKS AND LEGAL IMPLICATIONS

21. The decision must be demonstrably based on evidence and statutory authority to withstand judicial review.

TE AO MĀORI APPROACH

22. This matter is a regulatory enforcement issue. No specific Te Ao Māori considerations have been identified as applicable.

CONSULTATION / ENGAGEMENT

23. Engagement has been completed with the Objectors and Victim. Further engagement is not applicable for 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 low significance.

ENGAGEMENT

27. Taking into consideration the above assessment, that the decision is of low 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 Panel's decision will be formally notified to the Objector. Any ongoing compliance or enforcement actions will be undertaken in accordance with the final determination.

ATTACHMENTS

1. **Disqualification Letter** - [!\[\]\(a95bef626c9a34eddfdb54f206e8d965_img.jpg\)](#) 
2. **Photos of victim dog injuries** - [!\[\]\(8d57812bf122b2f05dddf7225e324e98_img.jpg\)](#) 

No body home left in ~~front~~ door

NOTICE OF CLASSIFICATION *front* *min.* 

Menacing dog classification – Section 33A, Dog Control Act 1996 (behaviour of the dog)

Date	5/5/2026	CCM	1267166
Name	GRACE [REDACTED] WILSHAW		
Address	[REDACTED]		

DELIVERY CONFIRMATION

Recipient name *Grace Wilshaw*

Signature [REDACTED]

Date *12/05/26* Time *1350*

Served by *Malcolm M/1/5*

Signature [REDACTED]

Dog details

Dog ID	[REDACTED]	Primary breed	STAFFORDSHIRE BULL TERRIER
Microchip No	[REDACTED]	Secondary breed	CROSS
Name	TILLY	Primary colour	BRINDLE
Sex	FEMALE (Entire)	Secondary colour	
Age	5 yrs 7 mths		
Address where the dog is kept	[REDACTED]		

Classification details

This is to notify you that this dog has been classified as a menacing dog under section 33A (1)(b)(i) of the Dog Control Act 1996 with effect from the date of this notice.

This is because Tauranga City Council considers that the dog may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife, because of observed or reported behaviour of the dog, namely: On Saturday 18 April 2026 at approximately 8:00am at [REDACTED] a large female Staffy cross type dog, later identified as Tilly, did attack another dog causing injury.

A summary of this classification and your right to object is provided on the reverse. Objections must be in writing and can be sent to the addresses provided or delivered to the Tauranga City Council Service Centre.

Classification requirements

Neutering: Your dog must now be neutered, and you must provide a veterinary certificate as proof thereof within one month of receipt of this notice.

Microchip: Your dog is already microchipped; you are compliant with this requirement.

Muzzle: Your dog must now be muzzled when it is at large or in any public place or private way, and it must be kept under control at all times.

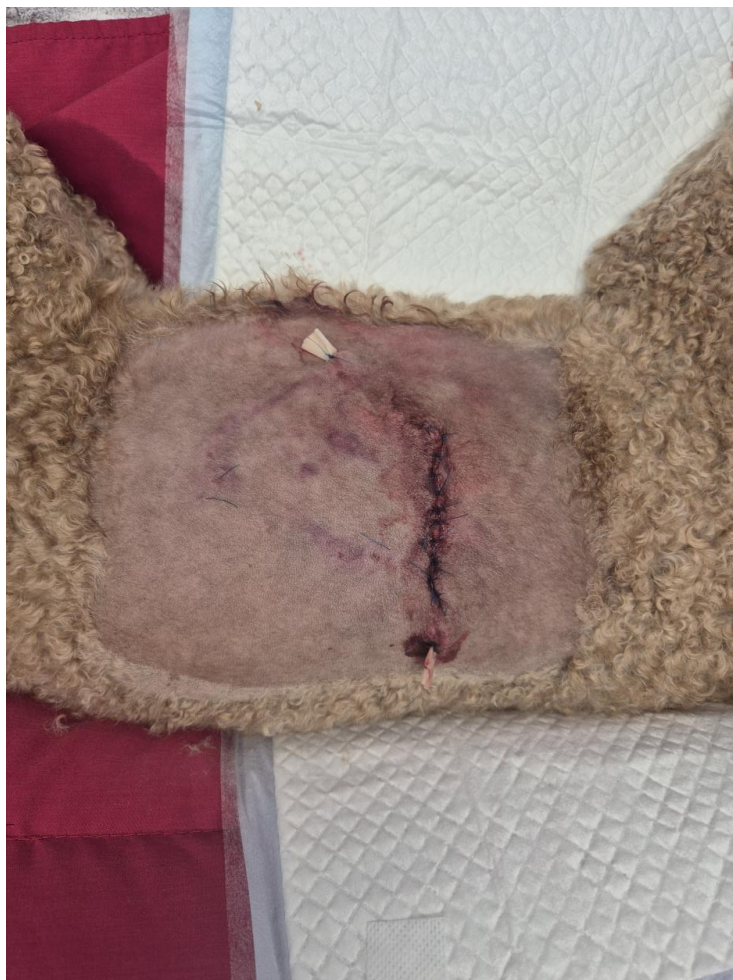
The required documents can be sent by mail to: **Animal Services, Tauranga City Council, Private Bag 12022, Tauranga 3143, New Zealand** or by email to: dog.registration@tauranga.govt.nz

ADDITIONAL INFORMATION

Signature		Dated: 5/5/2026
Name	Oscar Glossop	
Position	Animal Services Team Leader	









6 PUBLIC EXCLUDED SESSION

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
6.1 - Public Excluded Minutes of the Regulatory Hearings Panel meeting held on 20 July 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
6.2 - Public Excluded Minutes of the Regulatory Hearings Panel meeting held on 11 May 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
6.3 – Deliberations – Objection to disqualification as a dog owner – Abigail Waters	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.
6.4 – Deliberations – Objection to disqualification as a dog owner – Jordan Cooney	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.

6.5 – Deliberations – Objection to menacing classification – Grace Wilshaw	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.
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7 CLOSING KARAKIA