



MINUTES

**Regulatory Hearings Panel meeting
Monday, 18 August 2025**

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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, 18 AUGUST 2025 AT 9:30AM**

MEMBERS PRESENT: Mrs Mary Dillon (Chair), Mr Puhirake Ihaka, Mr Terry Molloy, Mr Alan Tate.

IN ATTENDANCE: Brent Lincoln (Team Leader: Animal Services), Anahera Dinsdale (Governance Advisor), Caroline Irvin (Governance Advisor)

EXTERNAL: Ms Kim Crosby (Objector)

1 OPENING KARAKIA

Mr Puhirake Ihaka opened the meeting with a karakia.

2 APOLOGIES

Nil

3 CONFIRMATION OF MINUTES

4.1 Minutes of the Regulatory Hearings Panel meeting held on 1 May 2025

COMMITTEE RESOLUTION RHP/25/0/1

Moved: Mr Alan Tate
Seconded: Mr Terry Molloy

That the Minutes of the Regulatory Hearings Panel meeting held on 1 May 2025 be confirmed as a true and correct record.

CARRIED

4 DECLARATION OF CONFLICTS OF INTEREST

Nil

5 BUSINESS

5.1 Objection to Menacing Classification - Kim Crosby

Staff Brent Lincoln, Team Leader: Animal Services

External Ms Kim Crosby, Objector

Staff Key Points

- Staff explained that Animal Services evaluated dog attack incidents to determine the most appropriate outcome for public protection, referencing the Dog Control Act, specifically section 62, which mandates that a dog known to have attacked a person must be muzzled and under lead control in public. He clarified that the menacing classification formalises these requirements and was intended to minimise future risk.
- Staff described the incident as occurring on the owner's property, with the delivery person lawfully present. He emphasized that, under the law, liability for a dog attack rested entirely with the dog owner, regardless of warning signs or prior arrangements, and that the owner must take all precautions to prevent such incidents.
- Staff detailed the assessment process, noting that the dog was classified as menacing due to the nature of the incident, the lack of restraint, and the potential for future attacks. He explained that, while the physical injuries were minor, the psychological impact on victims was often significant, and the classification served as a clear warning to the owner.
- Staff clarified the differences between section 62 and the menacing classification, stating that section 62 applied automatically with no right of appeal, while the menacing classification could be appealed and was easier to enforce in the event of a repeat incident. He also explained the practical implications for the owner, including requirements for muzzling and lead control in public.

Objector Key Points – Ms Kim Crosby

- Ms Crosby recounted that her dog, Bandit, was approximately eleven months old at the time, had been neutered, and had never previously bitten anyone. She described the incident as a result of a procedural error—opening the gate prematurely and not receiving the expected text message from the delivery service—leading to Bandit encountering the delivery person unexpectedly.
- Ms Crosby stated that the delivery person had a longstanding arrangement to have Bandit secured during deliveries. On the day of the incident, she did not witness the bite but was told by the delivery person that Bandit 'got his hand,' with no visible injury or significant distress reported at the time. Ms Crosby apologized and assisted with the delivery.
- Ms Crosby questioned the use of the term 'attack' in the Council's report, the accuracy of the assessment, and the objectivity of the officer's observations, noting that the officer never met Bandit. She argued that the incident was more consistent with 'mouthing' than a true bite and that the classification was disproportionate given the circumstances.
- Ms Crosby outlined steps taken to prevent recurrence, including plans to build additional fencing to separate the front and back of the property, ensuring all visitors were instructed to call before entering, and ongoing training for Bandit. She emphasized their commitment to public safety and responsible dog ownership.
- Ms Crosby expressed concern about the requirement for Bandit to be muzzled in public, noting the negative impact on Bandit's quality of life and the family's ability to enjoy activities such as dog parks. She requested reconsideration of the classification, citing the isolated nature of the incident and the steps taken to mitigate future risk.

PUBLIC EXCLUDED SESSION**Resolution to exclude the public****COMMITTEE RESOLUTION RHP/25/0/2**

Moved: Mr Alan Tate

Seconded: Mr Terry Molloy

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 – Dog Hearings - Objection to Classification – Menacing – Kim Crosby	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

OPEN BUSINESS CONTINUED**5.1 Objection to Menacing Classification - Kim Crosby**

Staff Brent Lincoln, Team Leader: Animal Services

Key Points

- The committee acknowledged the steps Ms Crosby had taken to prevent future incidents, including fencing improvements and adherence to muzzling requirements in public. They discussed the practical implications of the classification and the owner's cooperation.
- The committee clarified that the menacing classification could be reviewed and potentially

overturned after a period of time if no further incidents occurred, upon written application by the owner. They explained that section 62 requirements would still apply in the background even if the classification was lifted.

In response to questions

- In response to a question, staff noted that the Section 62 applied.

PUBLIC EXCLUDED SESSION

Resolution to exclude the public

COMMITTEE RESOLUTION RHP/25/0/3

Moved: Mr Puhirake Ihaka

Seconded: Mr Terry Molloy

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:

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CARRIED

OPEN BUSINESS CONTINUED - DECISION

5.1 Objection to Menacing Classification - Kim Crosby

COMMITTEE RECOMMENDATION

Moved: Mr Alan Tate

Seconded: Mr Terry Molloy

That the Regulatory Hearings Panel

- (a) Receives the report "Objection to Menacing Classification - Kim Crosby".
- (b) Upholds the classification of menacing.

In Favour: Crs Mary Dillon, Terry Molloy and Alan Tate

Against: Cr Puhirake Ihaka

CARRIED 3/1

7 CLOSING KARAKIA

Mr Puhirake Ihaka closed the meeting with a karakia.

The meeting closed at 11:52am.

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

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Mary Dillon
CHAIR