AGENDA

Regulatory Hearings Panel meeting
Monday, 23 November 2026

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

Date: Monday, 23 November 2026

Time: 9:00 am

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

Gareth Green

Interim 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:

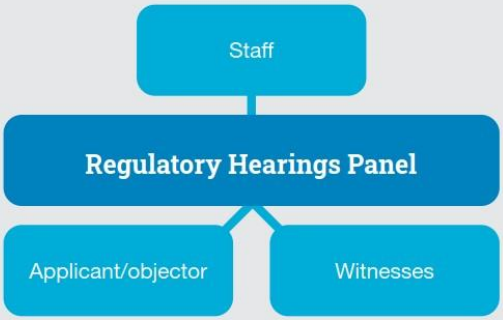
The Regulatory Hearings Panel is established as a subordinate decision-making body of Council and delegated the powers specified in its Terms of Reference under clauses 30 and 32 of Schedule 7 Local Government Act 2002 respectively. It is not a committee or subcommittee of Council.

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 3 August 2026

File Number: **A21206899**

Author: **Quinn Tawaka, Governance Advisor**

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

RECOMMENDATIONS

That the Minutes of the Regulatory Hearings Panel meeting held on 3 August 2026 be confirmed as a true and correct record.

ATTACHMENTS

1. **Minutes of the Regulatory Hearings Panel meeting held on 3 August 2026**

DRAFT MINUTES

Regulatory Hearings Panel meeting
Monday, 3 August 2026

Order of Business

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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, 3 AUGUST 2026 AT 9:30 AM

MEMBERS PRESENT:	Mr Alan Tate (Chair), Ms Amy Robinson, Mr Brent Lincoln
IN ATTENDANCE:	Nigel McGlone (Manager: Compliance Services), Oscar Glossop (Team Leader: Animal Services), Pat Hellier (Senior Animal Services Officer), Anahera Dinsdale (Governance Advisor), Caroline Irvin (Governance Advisor), Quentin Tawaka (Governance Advisor)
EXTERNAL:	Objectors as listed in the minutes below.

1 OPENING KARAKIA

Ms Anahera Dinsdale opened the meeting with a karakia.

2 APOLOGIES

APOLOGY

COMMITTEE RESOLUTION RHP/26/0/1

Moved: Mr Alan Tate
Seconded: Ms Amy Robinson

That the apology for absence received from Mr Puhirake Ihaka be accepted.

CARRIED

3 DECLARATION OF CONFLICTS OF INTEREST

Nil

4 CONFIRMATION OF MINUTES

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

COMMITTEE RESOLUTION RHP/26/0/2

Moved: Ms Amy Robinson
Seconded: Mr Brent Lincoln

That the Minutes of the Regulatory Hearings Panel meeting held on 20 July 2026 be confirmed as

a true and correct record.

CARRIED

5 BUSINESS

5.1 Regulatory Hearings Panel Report - Objection to Disqualification as a Dog Owner - Abigail Waters

Staff Oscar Glossop, Team Leader: Animal Services

Key Points

- Team Leader: Animal Services explained that Abigail Waters was disqualified from dog ownership after meeting the statutory threshold of three infringement offences within a 24-month period, including failure to comply with barking abatement requirements and failure to keep dogs under control, as outlined in the Dog Control Act 1996.
- He advised that Animal Services' involvement had arisen from multiple incidents involving her dog, Zeb, including registration non-compliance, roaming complaints, and enforcement action.
- He outlined the dog had been found roaming on several occasions between October 2024 and March 2026, resulting in infringement notices for failure to keep the dog under control.
- Because three infringement offences had occurred within a continuous 24-month period, the statutory threshold for disqualification had been met and a three-year disqualification had been issued.

Objector Ms Abigail Waters

Key Points

- Ms Waters accepted responsibility for historical barking and roaming issues involving her dogs.
- She advised that Delta and Loki had originally belonged to her former partner and had been the main source of the behavioural issues.
- She stated that Delta had since been rehomed, fencing and containment arrangements had been improved, and management of the remaining dogs had changed.
- She submitted that she had made significant efforts to address the issues and asked the panel to consider those improvements when assessing her objection.

Staff Oscar Glossop, Team Leader: Animal Services

Staff in response to objector

- The Team Leader Animal Services noted that while the objector had accepted responsibility, acknowledged the roaming incidents, and advised that improvements had been made to fencing, supervision, and dog management, Animal Services considered these measures to

be recent and largely reactive.

- He stated that the absence of aggressive behaviour was not relevant to the disqualification, which was based on repeated non-compliance and the inability to maintain effective control of the dog.
- Animal Services therefore recommended that the panel uphold the three-year disqualification.

6 PUBLIC EXCLUDED SESSION

Resolution to exclude the public at 10.08am

COMMITTEE RESOLUTION RHP/26/0/3

Moved: Mr Alan Tate
Seconded: Mr Brent Lincoln

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 – Abigail Waters – Objection to disqualification 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.

CARRIED

5 BUSINESS CONTINUED

The meeting resumed in open at 10:25am.

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

Staff Oscar Glossop, Team Leader: Animal Services

Key Points

- The Team Leader: Animal Services advised that the hearing was to consider Jordan Cooney's objection to being disqualified as a dog owner under section 26 of the Dog Control Act 1996.
- He explained that Animal Services had engaged with the owner over a number of matters, including dog registration non-compliance, roaming complaints, barking complaints, and enforcement action involving her dog, Zeb, an American Bulldog-Mastiff cross.
- He outlined that Zeb had been found roaming on several occasions between October 2024 and March 2026, resulting in infringement notices for failing to keep the dog under control.
- As three infringement offences had occurred within a continuous 24-month period, the statutory threshold for disqualification had been met, and a three-year disqualification had been issued

Objector Ms Jordan Cooney

Key Points

- Ms Cooney accepted responsibility for Zeb's roaming incidents and acknowledged that she had not met her responsibilities as a dog owner. She said she had not fully appreciated the extent of the problem until she became aware of community complaints and social media posts about the dog roaming in the area. She stated that this had prompted her to take action to improve the dog's management and containment.
- She explained that she had arranged repairs to two gates, improved fencing and containment measures, and changed her management practices. She advised that Zeb was now kept in a secure area, was supervised or restrained whenever outside, and was no longer allowed outside unsupervised. She also confirmed that Zeb had been desexed and that she had attempted to register him but had been unable to do so because of the disqualification.
- Ms Cooney submitted that there had been no further roaming incidents since March 2026 and said the changes she had made had been effective. She stressed that she was committed to responsible dog ownership and asked the panel to consider the significant improvements she had implemented and the steps she had taken to prevent any recurrence. She also raised concerns about the dog's registration history, stating that she believed she had registered Zeb previously and requested that the Council review its records.

Staff Oscar Glossop, Team Leader: Animal Services

Staff in response to objector

- The Team Leader: Animal Services acknowledged that the objector had accepted responsibility for the offences and advised that fencing and management improvements were

being undertaken.

- However, he stated that the disqualification was based on repeated non-compliance and the demonstrated inability to maintain effective control of the dog, rather than any finding of aggression.
- He noted that Animal Services considered the proposed improvements to be intentions rather than a sustained record of compliance and submitted that they were insufficient to outweigh the history of repeated infringements.
- He therefore recommended that the panel uphold the full three-year disqualification.

6 PUBLIC EXCLUDED SESSION CONTINUED

Resolution to exclude the public at 11:08am

COMMITTEE RESOLUTION RHP/26/0/7

Moved: Mr Alan Tate
Seconded: Mr Brent Lincoln

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
6.4 – Deliberations – Jordan Cooney – Objection to disqualification 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.

CARRIED

5 BUSINESS CONTINUED

The meeting resumed in open at 11:15am.

At 11.16am the meeting adjourned.

At 11.59am the meeting resumed in open.

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

Staff Oscar Glossop, Team Leader: Animal Services

Key Points

- The Team Leader: Animal Services stated that Animal Services had reviewed witness statements, veterinary evidence, the owner's statement, and Council records, and had determined that Tilly's behaviour met the threshold for classification as a menacing dog because it demonstrated behaviour indicating the dog might pose a threat to another domestic animal.
- He acknowledged that the owner had since undertaken training, muzzle training, and additional management measures, but advised that these actions did not alter the facts of the incident upon which the classification was based.
- He concluded that the purpose of the menacing classification was not punitive but was a risk-management tool intended to address future safety concerns. Animal Services therefore considered the classification justified, proportionate, and consistent with the purposes of the Dog Control Act 1996, and recommended that the panel uphold the menacing classification.

Objector Ms Grace Wilshaw supported by Bronwyn and Gary Simpson

Key Points

- Ms Wilshaw accepted responsibility for the incident, acknowledging that Tilly had left her property and that another dog had been injured as a result.
- She submitted that the incident arose from an isolated lapse in management when the front gate and front door were left open at the same time, rather than from an ongoing pattern of aggressive behaviour.
- She argued that the key issue for the panel was whether Tilly posed an ongoing threat, and contended that the evidence did not support that conclusion.

In response to questions

- She advised that Tilly had no prior history of aggression, had never previously been classified as dangerous or menacing, and had a long history of interacting appropriately with other dogs in settings such as doggy daycare, training activities, and supervised social environments.
- She referred to supporting statements from trainers, neighbours, daycare staff and a behavioural specialist that described Tilly as well-socialised and generally well behaved.
- Ms Wilshaw stated that Tilly had initially approached the neighbouring property in a friendly and curious manner and that the situation escalated unexpectedly.
- She suggested that the combination of shouting, barking, and a rapidly developing interaction may have contributed to Tilly's response.
- While not excusing the incident, she maintained that it was a one-off event and did not demonstrate that Tilly had a generally menacing disposition.
- She explained that since the incident she had undertaken significant risk management measures, including muzzle training, ongoing obedience training, improvements to containment arrangements, and engagement with a dog trainer and behavioural specialist.
- She stated that she had changed her routines to ensure Tilly remained under control and that

she took her responsibilities as a dog owner seriously.

- She requested that the panel rescind the menacing classification, arguing that Tilly's overall history, temperament and the corrective actions taken did not support a finding that she posed an ongoing threat.

Staff Oscar Glossop, Team Leader: Animal Services

Staff in response to objector

- The Team Leader: Animal Services reiterated that, under the Dog Control Act 1996, dogs must be kept under control at all times.
- He noted that Tilly had not been under effective control on the day of the incident, had entered another person's property without permission, and had subsequently injured another dog. He submitted that the owners of the other dog were justified in being concerned about an unfamiliar dog entering their property and that the resulting injury was serious.
- He acknowledged the steps that Grace Wilshaw had taken since the incident to reduce future risk, including training, containment improvements, muzzle use and lead management.
- However, he advised that the panel's role was to consider the evidence that formed the basis of the classification, the owner's actions to prevent future incidents, and the future safety of people and animals.
- He stated that while the corrective actions were positive, they did not change the fact that an uncontrolled dog had entered another property and caused injury.
- Oscar Glossop also addressed concerns raised about the potential impact of the menacing classification on the dog's ability to be taken to Australia.
- He advised that he had been unable to confirm whether the classification would affect Australian import requirements and considered that this was secondary to the panel's obligation to assess public and animal safety.
- He maintained Animal Services' recommendation that the menacing classification be upheld.

Attachments

1 RHP - Letter for Tilly from neighbour
2 RHP - Supporting Letter from dog trainer
3 RHP - Supporting letter from foster mum
4 RHP - Witness statement from neighbours

6 PUBLIC EXCLUDED SESSION CONTINUED

Resolution to exclude the public at 12:45pm

COMMITTEE RESOLUTION RHP/26/0/8

Moved: Mr Alan Tate
Seconded: Mr Brent Lincoln

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
6.5 – Deliberations – Grace Wilshaw – Objection to menacing classification	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

5 BUSINESS CONTINUED

The meeting resumed in open at 12:51pm.

5.1 Regulatory Hearings Panel Report - Objection to Disqualification as a Dog Owner - Abigail Waters

COMMITTEE RESOLUTION RHP/26/0/9

Moved: Mr Alan Tate
Seconded: Mr Brent Lincoln

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 **immediately terminate** the disqualification.

CARRIED

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

COMMITTEE RESOLUTION RHP/26/0/10

Moved: Mr Alan Tate
Seconded: Ms Amy Robinson

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 **uphold** the disqualification for three years

CARRIED

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

COMMITTEE RESOLUTION RHP/26/0/11

Moved: Mr Alan Tate
Seconded: Ms Amy Robinson

That the Regulatory Hearings Panel:

(a) Receives the report "Regulatory Hearings Panel Report - Objection to Menacing Classification - Grace Wilshaw".

(b) **Upholds** the menacing classifications.

CARRIED

7 CLOSING KARAKIA

Ms Anahera Dinsdale closed the meeting with a karakia.

The meeting closed at 12:52pm.

The minutes of this meeting were confirmed as a true and correct record at the Regulatory Hearings Panel meeting held on 24 November 2026.

4.2 Minutes of the Regulatory Hearings Panel meeting held on 16 September 2026

File Number: **A21364679**

Author: **Quinn Tawaka, Governance Advisor**

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

RECOMMENDATIONS

That the Minutes of the Regulatory Hearings Panel meeting held on 16 September 2026 be confirmed as a true and correct record.

ATTACHMENTS

1. Minutes of the Regulatory Hearings Panel meeting held on 16 September 2026

DRAFT MINUTES

Regulatory Hearings Panel meeting
Wednesday, 16 September 2026

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5.1 – Deliberations – Laura Furey – Objection to menacing classification 5

5.2 – Deliberations – Camila Lenhart – Objection to disqualification as a dog owner 5

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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 WEDNESDAY, 16 SEPTEMBER 2026 AT 1:00 PM

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

IN ATTENDANCE: Oscar Glossop (Team Leader: Animal Services), Anahera Dinsdale (Governance Advisor), Quinn Tawaka (Governance Advisor) and Malcolm Mills (Animal Services Officer).

1 OPENING KARAKIA

Mr Puhirake Ihaka opened the meeting with a karakia.

2 APOLOGIES

Nil

3 DECLARATION OF CONFLICTS OF INTEREST

Nil

4 ACCEPTANCE OF LATE ITEMS

4.1 Acceptance of Late Item

COMMITTEE RESOLUTION RHP/26/9/1

Moved: Mr Alan Tate
Seconded: Ms Amy Robinson

That the Panel accepts the Late Item – Camila Lenhart Submission.

CARRIED

Attachments

1 Camila Lenhart - Submission Document

5 BUSINESS

5.1 Regulatory Hearings Panel Report – Objection to Menacing Classification – Laura Furey

Staff Oscar Glossop, Team Leader:Animal Services

Key Points

- Team Leader: Animal Services stated that Odin attacked and fatally injured a cat while off-lead in a public place, resulting in the cat being euthanised.
- Animal Services investigated the incident and determined the attack met the threshold for a menacing dog classification.
- While the owners accepted responsibility and implemented stricter controls, Animal Services considered the menacing classification appropriate and recommended it remain in place.

Objector Mrs Laura Furey with representation from Mr Karl Furey

Key Points

- Mr Furey, representing Mrs Furey, accepted responsibility for the incident and expressed remorse for the cat's death.
- Mr Furey described Odin as a friendly family dog with no previous history of attacking cats.
- Mr Furey stated the incident resulted from an instinctive prey-drive response after the cat unexpectedly crossed Odin's path.
- Mr Furey advised that Odin is now always walked on a lead and requested the menacing classification be removed, arguing the muzzle requirement was too severe.

Staff Oscar Glossop, Team Leader:Animal Services

Staff in reponse to Objector

- Team Leader: Animal Services acknowledged the owners had taken positive steps since the incident, including using a lead and accepting responsibility.
- He emphasised Odin was off-lead at the time of the attack despite bylaw requirements and had previously come to Animal Services' attention.
- He considered the muzzle requirement an important safeguard to prevent future incidents involving other animals or people and recommended the Panel uphold the menacing classification in the interests of public safety.

5.2 Regulatory Hearings Panel Report – Objection to Disqualification as a Dog Owner – Camila Lenhart

Staff Oscar Glossop, Team Leader: Animal Services

Key Points

- Team Leader: Animal Services stated that Ollie, the Objector’s dog, has a history of attacks, roaming incidents, registration breaches, and non-compliance with classification requirements.
- He said that previous disqualification had been revoked to provide another opportunity for compliance, but further issues occurred.

- He considered there to be an ongoing pattern of non-compliance and recommended the disqualification remain in place.

Objector Ms Camila Lenhart with counsel from Mr Benjamin Rotstein

Key Points

- Mr Rotstein, speaking as counsel for Ms Lenhart, accepted responsibility for past compliance issues but maintained the latest registration infringement was an administrative mistake.
- They highlighted efforts to work with Animal Services, improve compliance, and ensure Ollie was desexed and managed appropriately.
- They requested one final opportunity to retain ownership of Ollie and demonstrate responsible dog ownership.

Staff Oscar Glossop, Team Leader:Animal Services

Staff in reponse to Objector

- The Team Leader: Animal Services confirmed Animal Services had repeatedly intervened over several years to address ongoing compliance issues.
- He raised concerns about admissions that some dangerous dog requirements, including muzzling and containment, had not always been met.
- He noted previous infringements had been referred to the court for recovery and compliance was often achieved only after enforcement action.
- He recommended the disqualification be upheld, as the owner's history demonstrated ongoing non-compliance with dog ownership responsibilities.

At 2:21pm the meeting adjourned.

At 2:36pm the meeting resumed in open.

6 PUBLIC EXCLUDED SESSION

COMMITTEE RESOLUTION RHP/26/9/2

Moved: Mr Alan Tate
Seconded: Mr Puhirake Ihaka

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
5.1 – Deliberations – Laura Furey – Objection to menacing classification	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 – Camila Lenhart – Objection to disqualification 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.

CARRIED

At 2:58pm the meeting resumed in open.

5 BUSINESS CONTINUED

5.1 Regulatory Hearings Panel Report – Objection to Menacing Classification – Laura Furey

COMMITTEE RESOLUTION RHP/26/9/3

Moved: Mr Alan Tate
Seconded: Ms Amy Robinson

That the Regulatory Hearings Panel:

(a) Receives the report "Regulatory Hearings Panel Report – Objection to Menacing Classification – Laura Furey".

(b) The Panel:

(i) **Upholds** the menacing classification

CARRIED

5.2 Regulatory Hearings Panel Report – Objection to Disqualification as a Dog Owner – Camila Lenhart

COMMITTEE RESOLUTION RHP/26/9/4

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 – Camila Lenhart".

(b) Resolves to:

(i) **Upholds** the disqualification for three years from the date commenced 27 January 2026.

CARRIED

6 CLOSING KARAKIA

Mr Puhirake Ihaka closed the meeting with a karakia.

The meeting closed at 2:59pm.

The minutes of this meeting were confirmed as a true and correct record at the Regulatory Hearings Panel meeting held on 23 November 2026.

5 BUSINESS

5.1 Objection to Disqualification as a Dog Owner - Stacey-Lee MARTIN

File Number: **A21415576**

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 Stacey-Lee MARTIN.

RECOMMENDATIONS

That the Regulatory Hearings Panel:

(a) Receives the report "Objection to Disqualification as a Dog Owner - Stacey-Lee MARTIN".

(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 7 October 2026, Animal Services disqualified Stacey-Lee MARTIN, the Objector, from dog ownership, following repeated infringements 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 is the registered owner of a 5 year old female Staffordshire Bull Terrier cross named Skylar. There are two other unregistered dogs that are known to reside with her but are stated by the Objector to belong to other people at the address.

6. Council records show infringement notices were issued to the Objector for failing to register Skylar on 13 November 2023, 15 November 2024 and 14 May 2026.

7. On 11 June 2026, Animal Services received a complaint that Skylar had been roaming. The complainant stated they had seen the dog jump the fence from it's property multiple times. Enquiries were completed and the Objector acknowledged the dog had escaped and advised she had retrieved the dog shortly afterwards. A warning letter was subsequently issued.

8. On 19 June 2026, a further complaint was received alleging Skylar was out roaming. Photographs supplied by the complainant were reviewed and Skylar was identified as the dog involved. Following enquiries, an infringement notice was issued under section 20(5) of the Dog Control Act 1996 for failing to keep a dog under control. In explanation, the Objector stated that the dog kept breaking it's collars.

9. As a result of this infringement history, the Objector was sent a letter asking for an explanation as to why Council should not disqualify her from dog ownership. Council received no response.

10. The Objector was disqualified from being a dog owner for three years, due to expire on 18 June 2029.

11. The Objector subsequently lodged an objection under section 26 of the Dog Control Act 1996.

12. In support of her objection, the Objector submits that Skylar was subsequently registered and that disqualification is unfair.

13. Animal Services acknowledges that registration compliance was achieved, but only after explaining that the dog would be seized.

14. The Objector also submits that Skylar has never displayed aggressive behaviour and that she is a caring and responsible dog owner.

15. The attending Animal Services officer noted that Skylar attempted to lunge at them when tethered at the property. Even if it was conceded that the dog was entirely not aggressive, an uncontrolled dog in a public place can illicit a subjective fearful response from a member of the community. It remains the owners responsibility to keep their dog under control.

16. The Objector states that Skylar is primarily her 16-year-old daughter's dog and an important member of the family. While Animal Services acknowledges the significance of the dog to the family, responsibility for compliance with the Act rests with the owner, which the Objector has always claimed to be.

17. The Objector further advises that following the roaming incidents she upgraded the property's containment measures, including improved fencing, and that family members actively searched for Skylar whenever she escaped.

18. Animal Services acknowledges that better fencing is a positive step and in usual circumstances would be a relevant mitigating factor. However, it was noted by attending officers that the gate was regularly left open, a behaviour which negates improved fencing. This is further reenforced by the s6ubsequent admission of further escapes in which family members actively searched for the dog.

19. The Objector also explains that significant personal and family circumstances following the separation from her children's father contributed to difficulties meeting her dog ownership responsibilities. Animal Services acknowledges these circumstances. However, the Objector took no steps to proactively address financial concerns. Registration fees are a small fraction of the overall cost of owning a dog and a lawful requirement.

20. The Objector additionally submits that other dogs roam within the neighbourhood and requests an opportunity to demonstrate future compliance.

21. Animal Services assesses each case on its own merits. While the Objector's commitment to future compliance is noted, they have not voluntarily complied with responsibilities of a dog owner in the past.

22. Having considered the objection, enforcement history, and mitigating information provided by The Objector, Animal Services considers that the repeated non-compliance, despite prior intervention and enforcement action, supports the continuation of the disqualification.

STATUTORY CONTEXT

23. 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.

24. 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

25. The statutory threshold of three infringement offences within a 24-month period has been met.

26. 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

27. 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	☐

28. 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

29. <u>The Panel has three options:</u>

    (i) **Uphold** the proposed disqualification (Recommended)

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

    (ii) **Bring forward** the date of **termination** of the disqualification.

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

    (iii) **Immediately terminate** the disqualification

    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

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

32. 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

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

CONSULTATION / ENGAGEMENT

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

SIGNIFICANCE

35. 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.

36. 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 needs 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.

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

ENGAGEMENT

38. 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.

Click here to view the TCC Significance and Engagement Policy

NEXT STEPS

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

ATTACHMENTS

1. **Objection - A21418420** ⇩
2. **Pending Disqualification Letter - A21418469** ⇩
3. **Disqualification Served - A21418426** ⇩

[redacted]

Sent: Tuesday, October 13, 2026 6:38 PM

To: info@tauranga.govt.nz

Subject: RE: Oscar, disqualification dispute

I'm sending this email as I would like to dispute my disqualification from dog ownership.

The day the dog control came and advised me to register my dog by that upcoming wednesday, i did, i did it on that tuesday.

I personally feel its unfair I'm being disqualified for the reasons for whatever they may be, because for one i am not a bad dog owner, i love our dogs, Skyla is actually my 16 year olds dog, i put in my name as she was a child when we got her 5 years go, she is my daughters heart and soul.

Skyla is a part of our family, all my children will be devastated if i have to rehome her.

two, we have never had any bad issues with her like aggression or anything, we got her roaming under control straight after her last roaming incident, we made a huge enclosure in or yard with big fences, which they can never escape, and on that topic,, everytime she got off we were on her trail the whole time to get her back home.

We never let her roam, especially due to losing our dog 9 years ago due to a speeding car, there are a few dogs on our street that constantly roam, and yet nothing happens, we are responsible dog owners,

Reason being the long gap for registration after warnings, its personal but i dont mind sharing... my childrens father left us end of 2024, things were real tough and our dogs helped the kids through it.. we are doing great now,

I will end this with a sincere please don't take our Skyla away from us, please give my family one more chance, you can be reassured, there will be no more infringements, we have been doing real good with our dogs and kept on top of everything.

if i can explain further or any questions that can help my dispute, please do let me know.

from me, my children and skyla

10 September 2026

STACEY-LEE MARTIN
[redacted]

Dear Stacey-Lee,

Disqualification on third or subsequent infringement
Dog owner reference number: [redacted]

Our records show you have committed three or more infringement offences against the Dog Control Act 1996.

These offences were committed:

- within a continuous 24-month period
- each incident was on a separate occasion
- each was for a separate incident.

Section 25 of the Dog Control Act 1996 states you must be disqualified from owning a dog for a period not exceeding five years unless Tauranga City Council is satisfied that the circumstances of the offences are such that the disqualification is not warranted.

If there is any information you would like to be taken into consideration regarding your possible disqualification, please submit this in writing by 25 September 2026. If a submission is not received by this date, a decision will be made based on the facts before council at the time.

Yours sincerely,

[redacted]

Oscar Glossop
Animal Services team leader
Tauranga City Council

07 577 7000
info@tauranga.govt.nz

DISQUALIFICATION FROM DOG OWNERSHIP

Tauranga City

1 October 2026

Delivery Confirmation:

Recipient name: Stacey Martin

Signature [redacted]

Date: 07/10/26 Time: 1545hrs

Served by: [redacted]

Signature [redacted]

STACEY-LEE MARTIN

[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 19 June 2026 and will expire on 18 June 2029.

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

Yours sincerely,

[redacted]

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.

5.2 Objection to Disqualification as a Dog Owner - Lizanne BOTHA

File Number: **A21415600**

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 Lizanne Botha.

RECOMMENDATIONS

That the Regulatory Hearings Panel:

(a) Receives the report "Objection to Disqualification as a Dog Owner - Lizanne BOTHA".

(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 9 September 2026, Animal Services disqualified the Objector, Lizanne Botha, from dog ownership, following repeated infringements 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 is the registered owner of a five year old male French Bulldog named Theuns.
6. Council records show a history of Animal Services involvement spanning multiple years and involving a range of compliance concerns over 8 separate incidents, including roaming, a domestic animal attack, rushing, barking, and 2x infringements for registration-related offending, and 5x infringements for failures to maintain effective control of the dog.
7. In January 2024, Animal Services received a barking complaint relating to Theuns. Further complaints and enforcement activity followed during 2024, including an incident involving an attack on a domestic animal and infringements relating to registration requirements. Formal warnings and infringement notices were issued.

8. During March 2025, Animal Services investigated complaints alleging that Theuns had rushed members of the public. Following enquiries, infringement action was taken and statutory controls requiring the dog to be muzzled and leashed in public were imposed.

9. On 14 July 2025, following the accumulation of infringement offences within the prescribed period, Council issued a notice proposing to disqualify the Objector from dog ownership.

10. The Objector subsequently exercised her right of objection. Following consideration of the objection, the then Team Leader elected to suspend the proposed disqualification until 31 December 2025. The suspension was provided to allow an opportunity to demonstrate sustained compliance and responsible dog ownership.

11. Despite that opportunity, further offending occurred.

12. In December 2025, Theuns was found roaming and an infringement notice was issued for failing to keep the dog under control.

13. In February 2026, Animal Services investigated a further incident involving Theuns. Following consideration of the facts and circumstances, Theuns was classified as a menacing dog by deed, and a further infringement notice was issued.

14. Animal Services subsequently received a further domestic animal complaint involving Theuns at the Objector's new residential address during August 2026. Investigation of that incident resulted in an additional infringement notice being issued.

15. As a result of the continued offending, the statutory threshold for disqualification remained satisfied and a further notice of disqualification from dog ownership was issued on 9 September 2026.

16. The Objector does not dispute that the infringement history exists, nor that the statutory threshold has been met. Instead, the objection relies primarily on mitigation and changed circumstances.

17. The Objector submits that she accepts responsibility for the offending and acknowledges the seriousness of the incidents. Animal Services accepts that responsibility has now been acknowledged. However, acceptance of responsibility does not alter the previous offending history or the statutory basis on which the disqualification arises.

18. The Objector further submits that most incidents occurred at a previous address and that she has since relocated to a new property where greater care is being taken to prevent escapes. While a change of address is noted, Animal Services records demonstrate that a further complaint resulting in infringement action occurred after the relocation. Accordingly, the available evidence does not support a conclusion that relocation alone has resolved the compliance concerns which gave rise to the disqualification.

19. The Objector advises that the most recent incident occurred after a window was inadvertently left open, allowing Theuns to escape. Animal Services acknowledges this explanation. However, responsibility for ensuring effective containment remains with the owner. The fact that Theuns was able to leave the property and become involved in an incident outside the property boundary demonstrates that containment was not effective at the time.

20. The Objector states that additional containment and management measures have been implemented, including checking gates, windows and doors, identifying potential escape points, and ensuring all household members understand their responsibilities. These measures are positive and are acknowledged. However, Animal Services notes that previous enforcement interventions have included education, warning notices, infringement notices, statutory controls, menacing classification, and a prior suspension of disqualification. Despite these interventions, offending continued.

21. The Objector has also advised that she is willing to undertake further containment measures, inspection requirements, monitoring arrangements, or training if required by Council. While willingness to comply is relevant and may be considered as a mitigating factor, Animal Services notes that opportunities to demonstrate voluntary compliance have previously been provided and have not resulted in sustained compliance.

22. The Objector further advises that Theuns holds significant emotional importance to her family. She explains that the dog previously belonged to her late husband and remains an important connection for her children. Animal Services acknowledges these circumstances and recognises the significance of the dog to the family. However, while personal circumstances are a relevant consideration, they do not alter the infringement history, compliance record, or previous enforcement outcomes that have led to the current disqualification.

23. The Objector also advises there are no available family members in New Zealand who could assume ownership of the dog and requests that Council consider alternatives that would allow Theuns to remain with the family. Animal Services acknowledges this submission. However, practical consequences arising from a disqualification do not alter whether the statutory threshold has been met or whether the owner's compliance history justifies continued disqualification.

24. Having considered the objection, compliance history, enforcement history, and mitigation advanced by the Objector, Animal Services considers that the continued pattern of non-compliance despite repeated enforcement intervention supports the continuation of the disqualification.

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 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

    (f) Section 33E - Effect of classification as menacing dog

27. The statutory threshold of three infringement offences within a 24-month period has been met.

28. 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

29. 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	☐

30. 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

31. The Panel has three options:

(i) **Uphold** the proposed disqualification (Recommended)

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

(ii) **Bring forward** the date of **termination** of the disqualification.

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

(iii) **Immediately terminate** the disqualification

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

FINANCIAL CONSIDERATIONS

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

RISKS AND LEGAL IMPLICATIONS

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

34. 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

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

CONSULTATION / ENGAGEMENT

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

SIGNIFICANCE

37. 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.

38. 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 needs 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.

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

ENGAGEMENT

40. 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.

Click here to view the TCC Significance and Engagement Policy

NEXT STEPS

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

ATTACHMENTS

1. **1st Disqualification Letter - A21444149**
2. **2nd Disqualification Letter - A21444151**
3. **1st s.62 Letter - A21444150**
4. **2nd s.62 Letter - A21444152**
5. **Muzzle Warning Letter - A21444153**
6. **Menacing Classification Letter - A21444188**
7. **Objection - A21444161**

DISQUALIFICATION FROM DOG OWNERSHIP

23 JULY 2025

LIZANNE BOTHA
[redacted]

Delivery Confirmation:

Recipient name: L. Botha
Signature: [redacted]
Date: 30/07/25 Time: 8-48
Served by: P. HELLIER
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 23 March 2025 and will expire on 22 March 2028.

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

Yours sincerely

[redacted]

Brent Lincoln
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 [redacted] 23/7/25

DISQUALIFICATION FROM DOG OWNERSHIP

Tauranga City

9 SEPTEMBER 2026

Delivery Confirmation:

Recipient name: LIZANNE BOTHA

Signature: [redacted]

Date: 10/9/26 Time: 0845hrs

Served by: Steph Sunvey

Signature: [redacted]

LIZANNE BOTHA

[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 22 February 2026 and will expire on 21 February 2029.

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

Yours sincerely,

[redacted]

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.

29 November 2024

LIZANNE BOTHA
[redacted]

Dear Lizanne,

Investigation of complaint number 1162186 - attack on a domestic animal.

We have completed an investigation into the incident in which the complainant alleged that at 2:00pm Tuesday 5 November 2024 a French Bull dog type dog did jump a fence and lunged at another dog.

Based on the information obtained, Council is satisfied that your French Bulldog named Theuns was the dog in question.

Section 62 of the Dog Control Act 1996 provides that the owner or person in charge of a dog that has attacked or endangered any person; or any stock; or poultry; or domestic animal; or property; must not allow that dog to be at large or in a public place or private way without being muzzled and controlled on a leash.

This is an automatic consequence of this incident. It is not a restriction imposed by Council and is not subject to an objection reviewable by Council. It would be considered an aggravating factor if your dog was to attack again, or endanger a person or animal, and was not controlled by a lead and muzzled at the time.

In addition to the above, on this occasion Council has considered that:

Although this type of offence is considered to be serious, it was agreed that this particular case did not warrant prosecution.

In view of the circumstances, we have also enclosed an infringement notice for $300 for failing to keep your dog under proper control.

The following are important provisions from the Dog Control Act information that you should also be aware of as a dog owner:

Section 5: Obligations of dog owners

1) The obligations imposed on dog owners by the Dog Control Act require every owner:
    - to ensure that the dog is kept under control at all time
    - to take all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person

- to take all reasonable steps to ensure that the dog does not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife
- to take all reasonable steps to ensure that the dog does not damage or endanger any property belonging to any other person.

Section 52A: Control of dog on owner's property
The owner of a dog must, at all times, ensure that either:

a) the dog is under the direct control of a person; or

b) the dog is confined within the land or premises in such a manner that it cannot freely leave the land or premises.

You can be fined up to $3000 and an Animal Services officer may seize and impound the dog.

Section 57 & 58: Dogs attacking persons or animals / Dogs causing serious injury
The owner or any person in charge of a dog, which attacks, can be fined up to $20,000 and imprisoned for three years. The court is likely to make an order for the dog's destruction unless the circumstances of the attack are exceptional.

Section 57A: Dogs rushing at persons, animals or vehicles
The owner or any person in charge of a dog which rushes at a person, animal or vehicle in a public place can be fined up to $3000. The court may make an order for the dog's destruction.

Section 60: Seizure or destruction of dog running at large among stock or poultry
The owner of any stock or poultry may forthwith either seize or destroy any dog running at large among that stock or poultry.

Section 61: Orders relating to dog seen worrying stock
Where a complaint is made to a District Court by the owner of any stock or poultry that any dog has been seen at large among that stock, or poultry, the court, if it is satisfied as to the grounds of the complaint, may order the owner to keep the dog under proper restraint or make an order for the destruction of the dog.

Section 63: Owner liable for damage done by dog
The owner of a dog is liable for any damage done by their dog.

As you can see, the penalties that may be imposed under the Act are severe. Therefore, it is important that you understand the need to always keep Theuns under proper control.

Thank you for your cooperation and assistance with this investigation.

If you would like to discuss the matter further, please contact us on 07 577 7000.

Yours sincerely,

[redacted]

Pat Hellier
Animal Services team
Tauranga City Council
07 577 7000
info@tauranga.govt.nz

latest 3

11 April 2025

LIZANNE BOTHA
[redacted]

Dear Lizanne

Investigation of complaint number 1190959 – Person rushed at.

We have completed an investigation into the incident in which the complainant alleged that at 2:00pm 23 March 2025 a black French Bulldog rushed at a person whilst they were walking their dog.

Based on the information obtained, Council is satisfied that your French Bulldog named Theuns was the dog in question.

Section 62 of the Dog Control Act 1996 provides that the owner or person in charge of a dog that has attacked or endangered any person; or any stock; or poultry; or domestic animal; or property; must not allow that dog to be at large or in a public place or private way without being muzzled and controlled on a leash.

This is an automatic consequence of this incident. It is not a restriction imposed by Council and is not subject to an objection reviewable by Council. It would be considered an aggravating factor if your dog was to attack again, or endanger a person or animal, and was not controlled by a lead and muzzled at the time.

In addition to the above, on this occasion Council has considered that in view of the circumstances, we have also enclosed an infringement notice for $300 for allowing a dog to be in a public place unmuzzled or unleashed in breach of section 62 of the Act.

The following are important provisions from the Dog Control Act information that you should also be aware of as a dog owner:

Section 5: Obligations of dog owners

1) The obligations imposed on dog owners by the Dog Control Act require every owner:
   - to ensure that the dog is kept under control at all times.
   - to take all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person.
   - to take all reasonable steps to ensure that the dog does not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife.

- to take all reasonable steps to ensure that the dog does not damage or endanger any property belonging to any other person.

Section 52A: Control of dog on owner's property
The owner of a dog must, at all times, ensure that either:

a) the dog is under the direct control of a person; or

b) the dog is confined within the land or premises in such a manner that it cannot freely leave the land or premises.

You can be fined up to $3000 and an Animal Services officer may seize and impound the dog.

Section 57 & 58: Dogs attacking persons or animals / Dogs causing serious injury.
The owner or any person in charge of a dog, which attacks, can be fined up to $20,000 and imprisoned for three years. The court is likely to make an order for the dog's destruction unless the circumstances of the attack are exceptional.

Section 57A: Dogs rushing at persons, animals or vehicles.
The owner or any person in charge of a dog which rushes at a person, animal or vehicle in a public place can be fined up to $3000. The court may make an order for the dog's destruction.

Section 60: Seizure or destruction of dog running at large among stock or poultry.
The owner of any stock or poultry may forthwith either seize or destroy any dog running at large among that stock or poultry.

Section 61: Orders relating to dog seen worrying stock.
Where a complaint is made to a District Court by the owner of any stock or poultry that any dog has been seen at large among that stock, or poultry, the court, if it is satisfied as to the grounds of the complaint, may order the owner to keep the dog under proper restraint or make an order for the destruction of the dog.

Section 63: Owner liable for damage done by dog.
The owner of a dog is liable for any damage done by their dog.

As you can see, the penalties that may be imposed under the Act are severe. Therefore, it is important that you understand the need to keep Theuns under proper control at all times.

Thank you for your cooperation and assistance with this investigation.

If you would like to discuss the matter further, please contact us on 07 577 7000.

Yours sincerely

[redacted]

Pat Hellier
Animal Services team
Tauranga City Council

07 577 7000
info@tauranga.govt.nz

latest 3

13 November 2026

LIZANNE BOTHA
[redacted]

Dear Lizanne,

We are writing to inform you about an important matter regarding your dog. On Sunday, 23 March 2025, your dog was reported at large in a public place without a muzzle.

On 29 November 2024, you were issued with a letter outlining the requirements for managing a dog that has previously rushed at or attacked any person or domestic animal.

Under Section 62 of the Dog Control Act 1996, it is required that the owner or person in charge of a dog that has attacked or endangered any person, stock, poultry, domestic animal, or property must not allow that dog to be at large or in a public place or private way without being muzzled and controlled on a leash.

A second letter resulting from an incident that occurred on 23 March 2025 at 2:00pm on Emerald Shores Drive is enclosed with this letter further outlining and reminding you of your obligations.

We emphasise the importance of community responsibility and encourage you to ensure future compliance with these regulations. This is crucial for the safety and well-being of everyone in our community.

Please take the necessary steps to adhere to these guidelines. If you have any questions or need further clarification, do not hesitate to contact us.

Yours sincerely,
[redacted]

Pat Hellier
Animal Services team
Tauranga City Council

07 577 7000
info@tauranga.govt.nz

NOTICE OF CLASSIFICATION

Tauranga City

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

Date 23/3/2026 CCM 1255525

Name LIZANNE BOTHA

Address [redacted]

DELIVERY CONFIRMATION

Recipient name L. BOTHA

Signature [redacted]

Date 23.3.26 Time 18:11

Served by P. HELLIER

Signature [redacted]

Dog details

Dog ID	[redacted]	Primary breed	FRENCH BULLDOG
Microchip No		Secondary breed	
Name	THEUNS	Primary colour	BLACK
Sex	MALE	Secondary colour	
Age	4 yrs 5 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 Sunday 22 February 2026 at approximately 11:30am, Theuns did aggressively rush at people on [redacted]

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 is already Neutered; you are compliant with this requirement.
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 [redacted] Dated: 23/3/2026

Name Oscar Glossop

Position Animal Services Team Leader

EFFECT OF CLASSIFICATION AS A MENACING DOG

Sections 33E, 33F and 36A Dog Control Act 1996

a) You must not allow your dog to be at large or in any public place or in any private way, except when confined completely within a vehicle or cage, without being muzzled in such a manner as to prevent the dog from biting, but to allow it to breathe and drink without obstruction; and

b) You must produce to Tauranga City Council within one month after receipt of this notice a certificate issued by a registered veterinary surgeon certifying:
   (i) that the dog is or has been neutered; or
   (ii) that for reasons that are certified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and

c) If your dog is not fit to be neutered before a specific date as mentioned above, then you must produce to Tauranga City Council within one month after that specified date, a further certificate under paragraph (b)(i).

You will commit an offence and be liable on conviction to a fine not exceeding $3,000 if you fail to comply with any of the matters in paragraphs (a) to (c) above. In addition, a dog control officer or dog ranger may seize and remove the dog from you and keep the dog until you demonstrate that you are willing to comply with paragraphs (a) to (c) above.

If applicable, if not already microchipped, you are also required, for the purpose of providing permanent identification of the dog, to arrange for the dog to be implanted with a functioning microchip transponder. This must be confirmed by making the dog available to Tauranga City Council in accordance with the reasonable instructions of Tauranga City Council for verification that the dog has been implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.

You will commit an offence and be liable on conviction to a fine not exceeding $3,000 if you fail to comply with this requirement within 2 months after this notice.

If the dog is in the possession of another person for a period not exceeding 72 hours, you must advise that person of the requirement to not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting, but to allow it to breathe and drink without obstruction.

You will commit an offence and be liable on conviction to a fine not exceeding $500 if you fail to comply with this requirement.

Full details of the effect of classification as a menacing dog are provided in the Dog Control Act 1996.

RIGHT OF OBJECTION TO CLASSIFICATION UNDER SECTION 33A

Section 33B, Dog Control Act 1996

You may object to the classification of your dog as menacing by lodging with Tauranga City Council a written objection within 14 days of receipt of this notice setting out the grounds on which you object.

You have the right to be heard in support of the objection and will be notified of the time and place at which your objection will be heard.

All objections must be in writing and can be sent via email to dog.registration@tauranga.govt.nz or by mail to: **Animal Services, Private Bag 12022, Tauranga 3143, New Zealand**.

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.

From: [redacted]

Sent: Thursday, September 10, 2026 9:42 AM

To: info@tauranga.govt.nz

Cc: [redacted]

Subject: Disqualification from Dog Ownership - Objection, Lizanne Botha - [redacted]

Lizanne Botha

[redacted]

10/09/2026

Tauranga Animal Management Team

Att: Oscar Glassop

Re: Formal objection to disqualification from dog ownership

Dog: Theuns,

Theuns Contact ID Number: [redacted]

Lizanne Contact ID Number [redacted]

To whom it may concern,

I am writing to formally object to the proposed disqualification from dog ownership and respectfully ask the Council to allow me to retain ownership of my dog, Theuns.

I acknowledge that I have received three or more infringement notices within the relevant period. I understand the seriousness of these incidents, and I accept responsibility for ensuring that my dog is kept under proper control. I am genuinely sorry that these incidents occurred and for the time and resources required from the Council as a result.

Most of the infringements occurred while we were living at our previous property. We have since moved to a new home, where we are taking much greater care to ensure that Theuns cannot leave the property.

There has been one incident at our new address. On that occasion, Theuns escaped through a window that I had mistakenly left open. I accept that this was my responsibility. We have learned from the incident and are now particularly vigilant about keeping windows, doors and other possible exit points secure. This was an honest mistake and did not occur because I do not care, or do not look after our dog - this mistake will not be repeated.

I understand that an apology alone is not enough, and I am committed to demonstrating that I can be a responsible dog owner. The steps we are taking include:

Checking that doors, windows and gates are secure.

Ensuring Theuns is properly contained whenever we are at home or away.

Keeping him on a lead and under control when outside the property.

Regularly checking the property for any potential escape points.

Making sure everyone in the household understands the importance of securing the property. We have had discussion about this within our home and everyone understands that this is our joint responsibility.

I am also willing to comply with any reasonable conditions the Council considers appropriate, including a property inspection, additional containment measures, dog-control training, or any other requirements that would give the Council confidence that Theuns will be responsibly managed.

Theuns has a very important place in our family. He originally belonged to my late husband who committed suicide in 2023, and is one of the remaining connections my children have with their father. After this occurrence Theuns became very attached to our children. They are also deeply attached to him and losing him would cause them considerable emotional and metal distress after the loss they have already experienced.

I do not have any family in New Zealand who could take ownership of Theuns. A disqualification would therefore likely mean that we lose him entirely, rather than being able to place him temporarily with someone we know and trust, and where he can still be part of my children's lives.

I am not raising these personal circumstances to avoid responsibility. I respectfully ask that they be considered alongside the fact that we have moved properties, strengthened our approach to containment, and fully understand what is required of us.

I ask the Council to consider allowing me to retain Theuns, subject to any reasonable conditions or monitoring the Council believes necessary. If the Council is not prepared to cancel the disqualification completely, I would be grateful if it would consider any lawful alternative that would allow Theuns to remain with our family.

I sincerely regret what has happened and understand that there must be no further incidents. I am committed to ensuring that Theuns remains secure and properly controlled at all times.

I also extend my sincere apologies to the other party involved, I understand that the situation that occurred must have been stressful and I would gladly apologise to them personally if given the opportunity.

Thank you for considering my objection. I am available at any time to discuss and to provide any further information the Council may require.

Yours faithfully,



5.3 Regulatory Hearings Panel Report - Objection to Dangerous Dog Classification - Andrea Cullum

File Number: **A21029875**

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 Andrea Cullum under section 33D, Dog Control Act 1996 against the decision of Tauranga City Council to classify the dog Hazel as dangerous, following an attack on a person on 3 July 2026.

RECOMMENDATIONS

That the Regulatory Hearings Panel:

(a) Receives the report "Regulatory Hearings Panel Report - Objection to Dangerous Dog Classification - Andrea Cullum".

(b) The panel may:

(i) **Uphold** the Dangerous Dog Classification (**Recommended**); or

(ii) **Repeal** the Dangerous Dog Classification.

EXECUTIVE SUMMARY

2. On 3 July 2026, the Objector's dog Hazel pursued and bit a child riding an e-scooter on Hartford Avenue, Papamoa. The child sustained an injury requiring medical assessment and treatment.

3. Following an investigation, Animal Services determined that Hazel met the statutory threshold for classification as dangerous pursuant to section 31(1)(b) of the Dog Control Act 1996.

BACKGROUND

4. The Objector is the registered owner of Hazel, a five-year-old female Whippet.

5. Council records confirm Hazel was registered at the time of the incident and has been registered continuously since 2022. No previous attack complaints involving Hazel have been identified on Council records.

6. At approximately 5:30pm on 3 July 2026, Hazel was being walked by the Objector on Hartford Avenue, Papamoa. The Objector was walking Hazel and another dog in her care at the time. The Objector advised that both dogs were on lead when Hazel reacted to an approaching e-scooter, causing the lead to slip from her hand. Hazel then pursued the Victim and bit him on the right calf.

7. The Victim, aged 11 years, reported that he attempted to slow and turn away when Hazel ran towards him. The Victim stated that Hazel bit him on the leg and continued circling him afterwards while the Objector attempted to regain control.

8. Animal Services investigated the incident and obtained statements from the Victim, the Objector, and an independent witness. Additional evidence considered included injury photographs, medical information and Council records.

9. During her interview, the Objector accepted responsibility for Hazel at the time of the incident, acknowledged that Hazel had previously reacted to e-vehicles, and accepted that Hazel's behaviour on this occasion was dangerous.

10. Following the investigation, an infringement notice was issued under section 20(5) of the Dog Control Act 1996 for failing to keep a dog under control and Hazel was classified as a Dangerous Dog pursuant to section 31(1)(b) of the Dog Control Act 1996.

11. The Objector has submitted a formal objection seeking replacement of the Dangerous Dog Classification with a Menacing Classification.

12. Animal Services notes that the Objector could have been prosecuted for this attack and considers that there would have been a reasonable prospect of conviction. A conviction for an attack comes with a mandatory destruction order. Animal Services points this out to illustrate that it is the intention of the Act to keep the community safe. Despite this, Animal Services considered that the mitigations provided by a Dangerous Classification could sufficiently address the risk posed by this dog. A menacing classification is not being offered.

13. The Objector submits that the incident was an isolated event arising from Hazel's reaction to an e-scooter, that Hazel has no previous aggression history, and that extensive risk mitigation measures have been implemented since the incident, including muzzle training, use of a secure lead system, additional fencing, behavioural support, and changes to management practices. The Objector also relies on Hazel's training history, participation in agility activities, and character references regarding both Hazel's temperament, health and responsible ownership.

14. Animal Services acknowledges the Objector's acceptance of responsibility, cooperation during the investigation, absence of previous attack history, and the preventative measures implemented since the incident. Animal Services also acknowledges Hazel's training history and the Objector's ongoing efforts to manage future risk.

15. However, Animal Services considers that these matters do not alter the evidence establishing that Hazel pursued and bit a person after escaping effective control. Several of the supporting letters make reference to reactivity being an ongoing and continuing issue for Hazel. In the video provided it is clear that the dog is still reactive to vehicles. Furthermore, the measures the Objector has taken show their ability to comply with the Dangerous Classification.

16. Accordingly, Animal Services considers that the Dangerous Dog Classification remains justified and proportionate.

STATUTORY CONTEXT

17. Relevant sections of the Dog Control Act 1996 include:

    (a) Section 5 – Obligations of dog owners.

    (b) Section 20 – Bylaw requirements to keep dogs under control.

    (c) Section 31 – Classification of dangerous dogs.

    (d) Section 33D – Objection to dangerous dog classification.

18. A territorial authority must classify a dog as dangerous if any of the following apply:

    (a) The owner has been convicted of an offence under s 57A(2) relating to a dog rushing, startling, or endangering people, animals, or vehicles.

    (b) The territorial authority has reasonable grounds, based on sworn evidence of aggressive behaviour, to believe the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife.

(c) The owner admits in writing that the dog constitutes such a threat.

19. A Dangerous Classification requires that the owner of the dog ensures the dog is muzzled and on leash when in any public place or private way, unless completely contained in a vehicle or cage.

20. A Dangerous Classification requires that the owner must ensure that, from a date not later than 1 month after the receipt of notice of classification, the dog is kept within a securely fenced portion of the owner's property that it is not necessary to enter to obtain access to at least 1 door of any dwelling on the property.

21. A Dangerous Classification requires that the owner ensures the dog is neutered and provide evidence of this. Hazel has been neutered.

22. There are also requirements relating to rehoming and increased registration fees.

23. 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

24. 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	☐

25. 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

26. There are two options available to the panel:

(a) **Uphold** the dangerous classification for Hazel.

This option best addresses community safety; or

(b) **Repeal** the classification if not satisfied the statutory threshold is met.

This option does not mitigate future risk.

FINANCIAL CONSIDERATIONS

27. A Dangerous Dog registration fee is required to be 150% of what the fee would otherwise be.

RISKS AND LEGAL IMPLICATIONS

28. The panel's decision must withstand review. Failure to ensure community safety could also bring reputational harm.

TE AO MĀORI APPROACH

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

CONSULTATION / ENGAGEMENT

30. Engagement has been completed with affected parties. Further engagement is not applicable for this matter.

SIGNIFICANCE

31. 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.

32. 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.

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

ENGAGEMENT

34. 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

35. 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. **Victim Statement - A21434200**
2. **Sworn Affidavit - A21432603**
3. **Photo of injury - A21432577**
4. **Dangerous Dog Classification - A21432597**
5. **Objection - A21432582**
6. **Behaviourist letter Hazel - A21443617**
7. **Builder - A21443619**
8. **Dogsitters - A21443620**
9. **Electrician - A21456459**
10. **Fostering - Hazel reference - A21443624**
11. **Hazel appeal support - A21443628**
12. **Hazel character reference - A21443626**
13. **Hazel character reference 2 - A21443627**
14. **Hazel vet notes - A21443625**
15. **Letter Regulartory Hearings Panel - Redacted - A21443601**
16. **Neighbour - A21443629**
17. **Objection Evidence - A21443602**

18. **Plumber - A21443632** ⇩
19. **re Hazel classification - A21443618** ⇩
20. **Training - A21443631** ⇩
21. **Training Partner - A21443633** ⇩

Victim Interview Form

Date: 15/07/2026

Time: 0900hrs

Place of statement taken:

Officer Name: Malcolm Mills

CCM Number: 1281034

My full name is [redacted]. I live at [redacted]. My phone number is [redacted]. I am 11 years old, [redacted] present at the time of this statement.

I am speaking with Animal Services Officer Mills regarding an incident that happened on the 3rd of July at approximately 5:30pm on Hartford Ave near the park at 98 Hartford Ave.

I was riding my escooter on the footpath along Hartford Ave. I was making my way to the park opposite the day care, from Papamoa beach road end of Hartford Ave, I was on the right-hand side of the road on the same side as the park, the lady that was walking the dog was outside number 95A Hartford Ave, on the opposite side of the road to me, I saw a dark coloured dog off leash in the middle of Hartford Ave.

I saw the dog and I slowed down I tried to turn around when I got within 2 meters of the dog, the dog ran towards me and bite me on my right leg on my calf.

I just froze in fear as I was in shock of what just happened, I stood still holding my escooter, the dog stayed around me for about 3 minutes circling me I felt scared, I was scared it was going to attack me again.

A person driving a white car pulled up and stopped on the road he opened the passenger's door, and the dog ran and jumped into the car.

I was then making my way back home along the footpath of Hartford Ave and I met a lady and she asked me hey are you ok, and I told the lady that the dog bit me, she said to me if you give me your number I will give it to the lady that owns the dog.

Initials [redacted]



The circle shows the place where the dog was.
1 – Shows the location of where the lady was that was in control of the dog
2- Shows the location of where I was standing with my Escooter.

Initials [redacted]

Parent Declaration

I confirm that I was present during this interview, that I am the parent of the minor/Victim, and that the information recorded reflects the minor's account of events to the best of my knowledge.

Parent/Guardian Details

- Full Name: [redacted]
- Address: [redacted]
- Contact Number: [redacted]
- Email: [redacted]
- Relationship to Minor/Victim: [redacted]
- Signature: [redacted]
- Date: 15/07/2026

For a Minor Victim (Under 18 Years)

- Victims Name: [redacted]
- Victim’s Signature: [redacted]
- Date: 15/07/2026

Initials [redacted]

Initials 

Affidavit: dangerous dog classification

Section 31(1)(b), Dog Control Act 1996

Complaint number: 1281034 before Tauranga City Council

Affidavit of [redacted] making an application in support of a dangerous dog classification pursuant to section 31(1)(b), Dog Control Act 1996.

I [redacted] ~~swear~~/affirm that on Friday the 3rd of July at 5:30pm on Hartford Ave, Papamoa.

Describe incident:

I was standing on the front lawn as I was about to go for a walk when I saw a lady and her two dogs walking along the footpath, both dogs were on lead at that time, I have a motorhome in my driveway, I could see something happening on the road, by the time I got out onto the footpath as I left my property the lady only had one of the dogs on lead, there were heaps of cars parked along the road so I couldn't see where the other dog was. I could see the boy on his escooter in the middle of the road, I just assumed he was helping the lady get the dog back to her, I did see a white car stop and then I thought that he was trying to help get the dog to, I was like cool they have it sorted, so I turned the other way and started walking towards the waterways closet to Papamoa beach road, the boy then came up behind me on his escooter, I could hear he was crying and I asked him if he was ok, the boy replied to me saying "the dog got me" I then asked him is there anyone I can call for you? How far away do you live, and he just said close on the gravel, so I assumed he lived close by, I did see a little dot on his right calf muscle on his leg where I assumed he must have been bitten, I then got the boys number so I can give it to the dog owner, I walked back to the dog owner, she was still talking to her partner that was in the white car, I just said the dog actually got the boy and she was in shock as she didn't know that had happened, then the partner ran back down the road with the dark brown colored dog, the dog was bigger than the other dog she had with her at the time, the lady stayed with the other dog, I was sure they live not too far down the road, I then gave her the boys phone number and then I continued on my walk, about an hour later I text the young boy to make sure he was ok.

Then the step mum rang me and we had a discussion about what I have explained to the ASO taking this statement. I think the dog is a little bit crazy, the dog is always barking when I have seen the lady taking the dog for a walk previously, it barks at anything, all I was thinking is I have my niece and nephew that live down the road and they scooter to my house and if it was them, they would have no legs as they are only little. I think the dog should be classified as dangerous just from what I have seen from the dog, he reacts to a lot of things.

Based on my previous observations of this dog, I have concerns regarding its behaviour and temperament. On numerous occasions when I have seen the owner walking the dog, it has barked excessively and appeared to be reactive to a variety of things. As a result of these observations and the attack that happened on the 3rd of July involving that little boy, I believe the dog poses a potential risk to members of the public. I have young nieces and nephews that live nearby and regularly ride to my property on scooters.

Following the incident and based on the dog's behaviour that I have personally observed, I am concerned that a child could be seriously injured if confronted or attacked by this dog.

In my opinion, formed from my observations of the dog's behaviour and reactivity, the dog should be classified as dangerous, as it appears to react aggressively or unpredictably to a wide range of situations.

Signed [redacted] .....

~~Sworn~~/Affirmed at (location) Papamoa this 27th day of July 2026 (month/year) before me:

Signed .... [redacted] .....

(~~Registrar/Deputy Registrar~~) Justice of the Peace

Brian John Hamilton, JP
#5239
TAURANGA
Justice of the Peace for New Zealand



NOTICE OF CLASSIFICATION

Tauranga City

Dangerous dog classification – Section 31, Dog Control Act 1996

Date 03/08/2026 CCM 1281034

Name ANDREA CALLUM

Address [redacted]

DELIVERY CONFIRMATION

Recipient name Andrea Callum

Signature [redacted]

Date 4/8/2026 Time 1104

Served by Malcolm Mills

Signature [redacted]

Dog details

Dog ID	[redacted]	Primary breed	[redacted]
Microchip No	[redacted]	Secondary breed	[redacted]
Name	HAZEL	Primary colour	[redacted]
Sex	[redacted]	Secondary colour	[redacted]
Age	[redacted]		
Address where the dog is kept	[redacted]		

Classification details

This is to notify you that this dog has been classified as a dangerous dog under section 31(1)(b) of the Dog Control Act 1996 with effect from the date of this notice. This is because:

Council has reasonable grounds to believe the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife, based on sworn evidence attesting to aggressive behaviour by the dog on 1 or more occasion.

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 be delivered to the Tauranga City Council Service Centre

Classification requirements

Neutering: Your dog is already neutered; you are compliant with this requirement.

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.

Confinement: Your dog must now be kept within a securely fenced portion of your property which it is not necessary to enter to obtain access to at least one door of any dwelling on the property. If your dog is not in the fenced area it must be muzzled and controlled by leash, this includes inside your house.

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 [redacted] Date: 3/08/2026

Name Oscar Glossop

Position Team Leader Animal Services

EFFECT OF CLASSIFICATION AS A DANGEROUS DOG

Section 32, and 36A, Dog Control Act 1996

You are required:

(a) within one month after receipt of this notice, to ensure that the dog is kept within a securely fenced portion of your property which it is not necessary to enter to obtain access to at least one door of any dwelling on the property; and

(b) not to allow the dog to be at large or in any public place or in any private way, (other than when confined completely within a vehicle or cage), without —
  (i) the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
  (ii) the dog being controlled on a leash (except in a designated dog exercise area); and

(c) **if applicable**, within one month after receipt of this notice to produce to Tauranga City Council a certificate issued by a registered veterinary surgeon —
  (i) that the dog is or has been neutered; or
  (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and

(d) where the dog is not in a fit condition to be neutered before that specified date, to produce to Tauranga City Council within one month after that specified date, a further certificate under paragraph (c)(i); and

(e) to pay dog control fees for that dog at 150% of the level that would apply if the dog were not classified as a dangerous dog in respect of every registration year commencing after receipt of this notice; and

(f) not to dispose of the dog to any other person without the written consent of the territorial authority in whose district the dog is to be kept.

You will commit an offence and be liable on conviction to a fine not exceeding $3,000 if you fail to comply with any of the matters in paragraphs (a) to (f) above. In addition, on conviction the Court must order the destruction of the dog unless satisfied that the circumstances of the offence were exceptional and do not justify the destruction of the dog.

A Dog Control Officer or Dog Ranger may seize and remove the dog from you if you fail to comply with any of the matters in paragraph (a) to (f) above. The Dog Control Officer or Dog Ranger may keep the dog until you demonstrate that you are willing to comply with paragraphs (a) to (f).

You will also commit an offence and be liable on conviction to a fine not exceeding $3,000 if you sell or otherwise transfer the dog, or offer to do so, to any other person without disclosing that the dog is classified as a dangerous dog.

If applicable, you are also required, for the purpose of providing permanent identification of the dog, to arrange for the dog to be implanted with a functioning microchip transponder. This must be confirmed by making the dog available to Tauranga City Council in accordance with the reasonable instructions of Tauranga City Council for verification that the dog has been implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.

You will commit an offence and be liable on conviction to a fine not exceeding $3,000 if you fail to comply with this requirement within 2 months of this classification.

If the dog is in the possession of another person for a period not exceeding 72 hours, you must advise that person of the requirement to not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting, but to allow it to breathe and drink without obstruction.

You will commit an offence and be liable on conviction to a fine not exceeding $500 if you fail to comply with this requirement.

Full details of the effects of classification as a dangerous dog are provided in the Dog Control Act 1996.

RIGHT OF OBJECTION

Section 31 (3), Dog Control Act 1996

You may object to the classification by lodging with Tauranga City Council a written objection within 14 days of receipt of this notice, 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.

All objections must be in writing and can be sent via email to dog.registration@tauranga.govt.nz or by mail to: **Animal Services, Private Bag 12022, Tauranga 3143, New Zealand**.

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.

From: Andrea Cullum [redacted]
Sent: Tuesday, 4 August 2026 8:05 pm
To: Dog Registrations <animalservices.admin@tauranga.govt.nz>
Subject: Attn: Oscar Glossop - Team Leader Animal Service

[redacted]

Subject: Objection to Dangerous Dog Classification for Hazel (ID [redacted]

Dear Mr Glossop,

I am writing to formally object to the Dangerous classification issued for my dog, Hazel, following the recent incident involving a person on an e-scooter. I respectfully request that this be replaced with a Menacing classification under the Dog Control Act 1996. A Menacing classification is, in my view, a more appropriate and proportionate response, particularly given the extensive measures I have already taken to ensure public safety. I deeply regret that this incident occurred and fully acknowledge my responsibility as Hazel's owner. I took the matter extremely seriously, contacted the family involved promptly, and have cooperated fully with the Council throughout its investigation.

Immediately after the incident, I took steps to ensure it could not happen again. During the eleven days before the Council contacted me, I measured Hazel for a properly fitted muzzle, ordered one, and chose not to walk her in public until it arrived. These actions were taken voluntarily, before any Council intervention, and reflect my commitment to preventing any recurrence regardless of which classification is given to Hazel.

Hazel has often startled and barked at fast-moving vehicles such as e-scooters and e-bikes, so I have always kept her on lead where these are likely to be present. She was on the lead when this incident occurred, but the sudden appearance of the e-scooter startled both of us and the lead accidentally slipped from my hand. Since then, I have bought a secure waist-mounted lead with an additional traffic handle. Hazel now wears her muzzle and is attached to the waist lead whenever she is in public. These measures directly address the circumstances that led to this isolated incident.

On the day of the incident, I was also walking a friend's dog. I recognise that managing two dogs reduced my ability to respond to an unexpected situation, and I will not do this again. In future, any dogs I am caring for will either be walked separately or by two adults.

Hazel has never shown aggression towards people in any other circumstance. As soon as the e-scooter stopped moving, she immediately lost interest in the person. She has no history of aggression, threatening behaviour, roaming, or previous complaints. In my view, this was an isolated fear- or prey-driven response to a very specific trigger, not evidence that she poses an ongoing danger to the public.

Public safety is extremely important to me, and I appreciate that it is also a priority for the Council. Our property is already fully and securely fenced. Hazel has never escaped our property and has never shown aggression towards anyone entering our home. Visitors of all ages, whether known or unknown to her, are consistently greeted calmly. As our home is a rear section, Hazel is not exposed to passing e-scooters or similar vehicles while on the property. Even so, I am currently installing additional internal fencing to prevent Hazel from accessing the main entrance gate without our permission. This work will be completed by the end of this week. I have also installed a warning sign and a doorbell at the property entrance so unexpected visitors can notify us of their arrival before entering, giving us time to move Hazel if needed. With the additional fencing in place, this is not really necessary but does provide an added layer of safety. Although there has never been any issues with visitors to our home, I wanted to take every reasonable precaution, even though doing so meant cancelling an upcoming family holiday to cover the cost.

Hazel is now five years old and has been a much-loved member of our family since she was a puppy. She is my daughter's best friend and has consistently demonstrated a gentle, affectionate, and stable temperament. Throughout her life I have been proactive in seeking training and behavioural support. Hazel has trained with Paws and Thrive Dog Training, where we continue to work on her reactivity. She has also attended Allsorts Dog Training and Positively Together. Following this incident, I sought further professional guidance from Sinead Neville, Clinical Behaviour Consultant at Animal Culture. Hazel has also successfully competed in agility with my daughter in busy environments surrounded by unfamiliar people, children, dogs, and distractions. These activities require obedience, impulse control, and confidence, all of which she has consistently demonstrated. My ongoing investment in training reflects my commitment to being a responsible dog owner.

Prior to the appeal hearing, I will provide character references from trainers, friends, dog sitters, and tradespeople who have visited our property, including while I was not home. These references speak to Hazel's calm temperament and my responsible ownership. I will also provide photographs of our completed fencing, along with Hazel wearing her muzzle and secure waist lead.

In summary, this was a single, isolated incident triggered by being startled by the fast moving e-scooter rather than a pattern of dangerous behaviour. Since then, I have implemented multiple safety measures, including additional fencing, ongoing behavioural support, muzzle training, and the use of a secure waist-mounted lead. These measures directly address the circumstances that led to the incident and provide strong safeguards against any recurrence. For these reasons, I respectfully ask that Hazel's Dangerous classification be replaced with a Menacing classification. I believe this appropriately balances public safety with the individual circumstances of Hazel's case while recognising both her otherwise exemplary history and the proactive steps I have taken to protect our community.

I am also still waiting to receive all the documentation and records held on Hazel's case, which I requested via email on the 17th of July. I look forward to receiving them as soon as possible in order to fully prepare my appeal case.

Yours faithfully,

Andrea Cullum

ANIMAL CULTURE

ANIMAL CULTURE

[redacted]

Subject: Classification of Hazel Cullum 2nd August 2026

To Whom It May Concern,

On 1 August 2026, I attended the home of Andrea Cullum and her family and subsequently assessed their dog, Hazel, in a public setting. Hazel is currently the subject of council proceedings following an incident involving a child and an electric scooter.
The purpose of my visit was to conduct a behavioural assessment of Hazel, including an evaluation of her interactions with people and her responses to environmental stimuli in a public park. The assessment took approximately three hours. My aim was to evaluate the behaviour observed and consider its relevance to the question of whether Hazel's behaviour is consistent with that which would warrant a Menacing or Dangerous classification and the associated restrictions.

My professional work involves behavioural assessment, consultation, and behaviour modification for dogs presenting with a wide range of behavioural concerns, including aggression, reactivity, and bite incidents throughout New Zealand. My professional opinions are informed by twelve years of clinical experience, postgraduate study, and extensive practical experience in applied and clinical animal behaviour.

Behaviour Observed in the Home
Upon entering the home, Hazel displayed appropriate, social, and affiliative behaviour towards me. Although I was unfamiliar to her, she readily engaged with me and remained settled and responsive throughout my time in the home. I observed no inappropriate or concerning behaviour directed towards me or other people during this part of the assessment. Hazel did briefly vocalise in response to passing motorbikes. However, she settled quickly and was able to return to a calm and appropriate behavioural state. This observation is relevant given the reported history of sensitivity to moving vehicles and associated sounds. The behaviour I observed in the home was also consistent with the history provided regarding Hazel's regular participation in community settings, where she has reportedly interacted appropriately with people and other dogs throughout her life.

Behaviour Observed in Public
During the public component of the assessment, Hazel was managed using a suitable harness and muzzle. I observed barking and lunging towards moving electric bicycles and scooters when particular handling strategies were employed, including tightening the lead and moving Hazel along quickly. When alternative management strategies, as advised during my assessment, were implemented, Hazel was able to allow various moving vehicles, including scooters and bicycles, to pass without escalating to the same level of behavioural response.
These observations suggest that Hazel's responses to fast-moving wheeled objects may in-part be influenced by the handling and management strategies currently and previously used. They also indicate that her responses may be amenable to a structured behaviour modification programme.
Importantly, during the assessment, I did not observe Hazel display aggressive or threatening behaviour towards people who were not riding bicycles or scooters. Her concerning responses appeared to be associated primarily with fast-moving wheeled objects passing in close proximity, rather than with people generally. The public park was busy at the time of the assessment, providing opportunities to observe Hazel's responses to a range of people and environmental stimuli.
These findings describe the behaviour observed during the assessment and should be considered alongside the history of the original incident and the need for continued risk management.

Subject:Classification of Hazel Cullum 2nd August 2026

Owner Management and Ongoing Intervention

Andrea has expressed genuine distress regarding the harm caused by the original incident and has demonstrated empathy towards those affected. Since the incident, she has implemented additional management strategies, and sought continued behavioural training with the aim of reducing the likelihood of recurrence.

Andrea and her household have demonstrated an understanding that Hazel's responses to fast-moving, noisy wheeled objects represent an area requiring ongoing management and behavioural intervention. The use of appropriate equipment, proactive avoidance and management strategies, and continued engagement with behavioural professionals are consistent with a responsible and conscientious approach to managing a dog with a specific behavioural trigger.

These efforts are relevant to the assessment of ongoing risk, as effective management and consistent implementation of a behaviour modification plan are important considerations in reducing the likelihood of further incidents.

Potential Contribution of Physical Discomfort

In my clinical caseload, a substantial proportion of dogs presenting with reactivity towards particular stimuli have underlying chronic pain that has not previously been identified. My clinical records indicate that this applies to approximately 87% of such cases in my caseload. Lack of identification by dog owners, and family veterinarians is common, and the following observations do not therefore directly reflect the level of care given by Andrea nor Hazels' usual veterinary practice. Musculoskeletal discomfort is often subtle and may not always be apparent during routine veterinary examinations, particularly when behavioural responses are context-specific.

During my assessment of Hazel, I identified gait and postural patterns that raised concern regarding possible underlying musculoskeletal discomfort. I subsequently considered these observations in the context of Hazel's previous medical history.

I consider the possibility of underlying physical discomfort clinically relevant to this case. Pain or discomfort can contribute to changes in canine behaviour, including increased sensitivity, irritability, defensive responses, and reduced tolerance of particular stimuli. Similarly, environmental sounds or stimuli that have previously been associated with uncomfortable or threatening experiences may contribute to heightened behavioural responses.

A referral has subsequently been made to appropriate veterinary professionals for further investigation and management. Andrea has been proactive in pursuing this possibility, and I consider further veterinary assessment an important component of Hazel's ongoing behavioural treatment plan. Where an underlying physical contributor to behaviour is identified and appropriately managed, behavioural responses are likely to improve, particularly in cases where guardians have shown commitment to ongoing training.

Subject:Classification of Hazel Cullum 2nd August 2026

Professional Opinion and Recommendations

Based on my behavioural assessment, I did not observe behaviour indicating that Hazel presented an immediate or generalised threat to people within the environments assessed. Her behaviour in the home was appropriate and affiliative towards an unfamiliar person. In the public setting, her concerning responses appeared to be associated primarily with moving bicycles and e-scooters, rather than generalised aggression towards people.

Nevertheless, Hazel's responses to electric bicycles and scooters must be taken seriously. She has demonstrated a capacity to respond to these stimuli with barking and lunging, and the history of the original incident underscores the importance of continued management, risk reduction, and behavioural intervention.

In my professional opinion, the observations made during this assessment indicate that Hazel can be managed in public by informed and conscientious handlers when appropriate equipment and management strategies are consistently implemented. Based on the behaviour observed, the apparent specificity of her trigger, and the management efforts demonstrated by her household, I consider that a Dangerous classification may be disproportionate to the behavioural presentation observed during this assessment; Andrea and the other members of the household have demonstrated an understanding of the risks associated with Hazel's current behavioural trigger and have taken meaningful steps to reduce those risks. Their continued commitment to appropriate management, medical and professional guidance is a relevant consideration in evaluating the feasibility of ongoing risk reduction.

I recommend the following:

Continued use of Muzzle in public spaces, and formal reassessment within 6–12 months: I recommend a further behavioural assessment to evaluate Hazel's progress following continued behavioural work and any appropriate medical intervention. Where clinically and practically appropriate, this reassessment should include carefully controlled exposure to moving bicycles, scooters, or other relevant stimuli, with suitable safety measures in place. The purpose would be to determine whether Hazel has demonstrated a sustained reduction in her responses to these triggers and whether improvements generalise across relevant settings. Community safety remains a primary consideration in my practice, and any decision to monitor progress over time must be supported by effective safeguards and responsible handling.

Andrea has demonstrated a high level of commitment to Hazel's welfare and responsible management within the wider community. She has acknowledged the seriousness of the incident, implemented additional safeguards, and sought appropriate professional assistance. These actions are relevant when considering the feasibility of ongoing management and the potential for behavioural improvement. Continued risk management and structured reassessment would allow future decisions to be informed by evidence of Hazel's progress over time.

Should you require any further information regarding my assessment, observations, or professional opinions, please do not hesitate to contact me using the details provided.

Sincerel

[redacted]

Animal Behaviour Consultant (clinical)

Gmail [redacted]

[redacted]

[redacted] Sun, 16 Aug at 9:43 AM

To whom it may concern,

My name is [redacted] and I've done building work at Andrea's place a number of times over the past few years.

Every time I've been there, Hazel has been a great dog to have around. She's always been friendly, never barks at me when I arrive, and just leaves me alone. I go in and out through the gate carrying materials a lot and she's never tried to get out or caused any problems. She also doesn't seem bothered by loud power tools or other building noise.

I've worked both inside and outside the house, whether the family has been home or away, and I've never had any concerns about Hazel. She's a lovely, calm, friendly dog, and it's obvious that Andrea and her family take good care of her and are responsible owners.

The last job I did there was putting up fencing and installing a decking balustrade to make sure Hazel was safely secured around the back of the property.

If you'd like to ask me anything or talk about my experience with Hazel, please feel free to give me a call.

Sincerely,

[redacted]

22.07.2026

To whom it may concern,

We are writing this statement in support of Hazel, based on our personal experience caring for her over an extended period.

Our names are [redacted] We have several years of experience caring for dogs through house sitting, boarding and daycare, and have looked after many dogs with different personalities and temperaments.

We looked after Hazel on multiple occasions, including two house sits at her home (14.11.2025-16.11.2025, 5.01.2026-10.01.2026) as well as several additional walks and visits.

During the time Hazel was in our care, we walked her twice daily, cared for her in and around the home, and spent many hours with her. Throughout all of our interactions, we never witnessed any aggressive behaviour towards ourselves, other people, or other dogs.

Our experience was that Hazel is a gentle and timid dog. She was initially cautious when meeting us, which is not unusual, but she quickly became comfortable and trusting. Once she got to know us, she was affectionate, calm, and easy to care for.

While walking Hazel, we noticed that she could be startled by loud or unexpected noises, and she appeared to be a sensitive dog. However, even when she was frightened or startled, we never observed her react aggressively. During our walks she encountered other people and dogs without incident.

Throughout all the time we cared for Hazel, we always felt comfortable handling her, walking her, and staying with her in the home. We never had any concerns for our own safety or the safety of others while she was in our care.

This statement is based entirely on our own firsthand experience with Hazel.

If any further information is required, we would be happy to assist.

Kind regards,



Gmail [redacted]

Hazel
1 message

[redacted] Thu, Aug 6, 2026 at 8:17 PM

To whom it may concern,

I am writing in my capacity as an electrician who has worked with Andrea and her family for several years. She has always been an exceptional client — reliable, respectful, and genuinely caring. Her three children,[redacted] are polite, well-mannered, and deeply bonded with their family dog, Hazel.

I understand Hazel was recently removed from the home following an isolated incident in which she nipped someone on the street. I want to offer my perspective as someone who has interacted with Hazel many times over the years. Hazel has consistently been gentle, friendly, and calm. The behavior described is completely out of character for her and does not reflect the dog I have come to know.

Andrea is a responsible single mother doing her best to raise three children. The requirements being proposed — including building higher fencing, keeping Hazel muzzled and leashed even within her own home, and adding further physical barriers — place an unreasonable financial burden on her. With the current cost-of-living pressures, expecting a single parent to fund extensive property modifications for a family pet who has had one isolated incident feels excessive and unjust.

Hazel is not just a dog to this family; she is a central part of the children's daily lives and emotional wellbeing. Imposing extreme restrictions would cause significant distress to the children who have grown up with Hazel as a constant source of comfort and companionship.

Andrea is fully willing to follow sensible safety measures, but I respectfully ask that the conditions placed on Hazel's return be fair, reasonable, and reflective of her usual temperament. Based on my long-term experience at the property, Hazel is a good-natured dog who deserves the opportunity to remain comfortably with the family who loves her.

Thank you for your time and consideration.

Kind regards,[redacted]

[redacted]



[redacted]

[redacted]

To Whom It May Concern,

My name is [redacted] and I am the founder of [redacted] in Tauranga. I am writing in support of Andrea Cullum and her dog, Hazel. Andrea has been a trusted foster carer and Hazel has played an invaluable role helping rescue dogs settle, decompress and gain confidence before adoption. Hazel has consistently shown a calm, gentle temperament and has welcomed numerous foster dogs into her home. Throughout all of my welfare visits, Hazel has always greeted me with a wagging tail and friendly demeanour. She is a deeply loved family dog, exceptionally well cared for, securely contained, and has never previously been the subject of complaints. The incident in question is entirely inconsistent with the Hazel I have known. While I was not present and cannot comment on exactly what occurred, her long history suggests this was an isolated event rather than reflective of her usual character. Andrea has taken the matter extremely seriously and is willing to comply with any reasonable management measures, including leashing, muzzling if required, and further behavioural training. I respectfully ask that Hazel's exemplary history and Andrea's outstanding record as a responsible owner be given significant weight, and that this matter be resolved with compassion and leniency wherever possible. Thank you for your consideration.

Yours faithfully,

[redacted]

[redacted]

26 July 2026

Re: Support Letter for Hazel

To Whom It May Concern,

My name is [redacted] and I am writing in support of Andrea Cullum and her family, and their dog Hazel, who is currently classified as Dangerous following an incident with a member of the public, in a public location. I have known Andrea and her family for 11 years, and I am writing to speak to their character as dog owners and of Hazel's temperament.

Andrea and her family are extremely responsible and dedicated dog owners. Their property has a large, fully fenced section, and they take Hazel's care and containment seriously. They are an animal-loving family who foster dogs and pet-sit for friends, which speaks to how trusted and capable they are with animals generally, not just their own. Her daughter [redacted] gets up early before school each day specifically to walk Hazel, which reflects the level of commitment and routine care Hazel receives. In addition [redacted] has trained Hazel in Dog Agility and entered her in competitions, showing she wants to get the best from her dog.

I can also speak personally to Hazel's temperament. My own daughter is a regular visitor to Andrea's home and often arrives unannounced. I have never had any hesitation about her walking through the gate onto the property by herself — Hazel greets her every time like a long-lost friend. This is not a dog I have ever had reason to be wary of, and my daughter's comfort and safety around Hazel over an extended period says a great deal about her ordinary nature.

Based on my direct experience with this family and this dog, I believe Andrea and her family are exactly the kind of responsible owners who can be trusted to manage Hazel safely going forward, particularly with the additional precautions already in place. I respectfully ask that this be taken into consideration in reaching a decision. I am happy to answer any further questions and can be reached at the above phone number or email address.

Sincerely,

[redacted]

[redacted]

22 July 2026

To whom it may concern,

This statement is in support of Hazel, a dog recently removed from her owners by Tauranga City Council. Hazel is the loved family pet of our friends Andrea and [redacted], who are deeply distressed by the events leading up to and since Hazel's impoundment.

Hazel is most well known by my 14-year-old daughter, [redacted] who visits the family home regularly to hang out with her friend [redacted], [redacted] have now been friends for 3 years. [redacted] does not have a pet at home, and is not particularly familiar with dogs, but even so she states that she has always felt safe and trusting around Hazel when spending time at their home after school and on weekends, and joining their family on beach walks with Hazel. [redacted] says Hazel is very well trained, and is always amazed by how she responds to [redacted] commands straight away. She says Hazel is calm and friendly around her, and she really enjoys patting her and playing fetch in their yard. After playing with Hazel she often comes home asking if we can get a dog too, which shows me how comfortable she feels around her.

As [redacted] mother, I have also met Hazel multiple times as we've come and gone from their home collecting or dropping off [redacted]. Hazel always greets us at the gate, her tail wagging, and has a delightful nature. When we come onto their property she nuzzles us and is very responsive to Andrea's commands. We've always been impressed by the commitment the family have made to training Hazel to a high level, including regular agility training resulting in a sportsmanship trophy from their club. [redacted] has seen ribbons displayed on their wall from other dog agility competitions, which I believe demonstrates the family's ongoing commitment and enjoyment of carefully training their pet dogs over time.

On a recent school holiday trip, we saw how distressed [redacted] and Andrea felt about Hazel's possible impoundment, and we were very surprised to hear what had happened given Hazel's friendly nature. Andrea expressed how concerned she is about the incident, which is completely out of character for Hazel. Even though Hazel has never done anything like this before, she was totally committed to ensuring Hazel is safe and had even voluntarily ordered an appropriate muzzle for Hazel to use outside of the family home.

We hope our statement can be taken into account when making decisions about Hazel's future.

Sincerely,



Gmail [redacted]

Email of support

[redacted] Mon, Jul 27, 2026 at 8:41 PM

To whom it may concern,

Myself and my partner, [redacted] are writing this email in support of Andrea Cullum's family dog, Hazel's status being reduced from ‘Dangerous’ to ‘Menacing’.

We have known Andrea and her lovely family for roughly 5 years now. We can remember meeting gorgeous Hazel as a puppy on Papamoa beach. She is a lovely, happy dog, who gets on wonderfully with our family dog. Since then, we've met regularly on the Papamoa Waterways/ beach. Hazel has been around our two young children on many occasions and we have absolutely no concerns over their safety around her. She has always been super friendly and never displayed any aggressive behaviour any time we have been with her, including with other passers by.

We also are confident in Andrea's capabilities of responsibly taking care of Hazel.

Please do not hesitate to contact us if you have any questions.

Yours sincerely,

[redacted]

Beach Road Vet Clinic [redacted] Date Printed 3 NOV 26 Page 1

Report Clinical History

Name	Hazel	**Owner**	Cullum
Colour	[redacted]	**Code**	[redacted]
Microchip		**Address**	
Breed			
DOB			
Opt. Weight		**Phone**	
		Mobile	

Date	Vet	Weight	Temp	Scores: Body	Dental
3 NOV 26 11:32	KBK				

Clinical Details

Second opinion on limping - fasted for rads. Anxious - will be muzzled. Scared of motorbikes
Hx attached
Text O for fasting reminder [redacted]

BAR, hydration good, Colour & mm OK, CRT < 2s, abdomen palpates OK, Temp = normal
Heart & Lungs WNL.

Walks normally here, Tarsal joints bilateral hard boney enlargement. Resents hock palpation.

Sedate (0.3 butorphanol/0.7 medetate - excellent - later 0.45 antipam)
- EUA hips & stifles palapte normally. Hock joints limited flexion & crepitus. Boney enlargement bilaterally.

Rads - Hips & stifle normal. There is a history of suspected partial CCL tear but the stifles are normal by palpation & by radiography so there is no evidence of a cruciate problem now.

Hocks - Both joints reshaped. Bilateral hard bone. Hint of punched out appearance but not conclusively so.

DDX - osteoarthritis, rheumatoid arthritis.

Treat ment options - trial prednisone course or NSAIDs, consider antinol.

Drugs Dispensed

30 of Carprieve Tablet 50mg - Half a tablet twice / day as required for arthritic pain

To the Members of the Regulatory Hearings Panel,

Please find attached information to support my submission for reclassification of Hazel Cullum from Dangerous to a lesser classification.

Hazel was classified following a one off incident involving a person on an e-scooter when she was startled in very close proximity and her lead slipped from my hand. Having read the statements on this incident, I see there are some discrepancies in the versions of events being reported. I have, however, been absolutely committed to ensuring public safety and even before council involvement had already made a number of changes to prevent any future incidents. These included ordering a muzzle and not walking Hazel in public until it arrived as well as seeking further professional behavioural advice from animal behaviourists and trainers. I also invested in a waist secured lead to ensure it would not slip from my hand again. These measures directly address the risk of a similar incident occurring again in the future.

Hazel has never shown aggression towards people in any other circumstance. As soon as the e-scooter stopped moving, she immediately lost interest in the person. She has no history of aggression, threatening behaviour, roaming, or previous complaints. In my view, this incident was an isolated fear- or prey-driven response to a very specific trigger, and not evidence that she poses an ongoing danger to the public.

Please see the attached document which contains photographic evidence of Hazel’s environment as well as links to video and written evidence that provide testament to Hazel’s training and temperament.

I look forward to the opportunity to speak to you on the 24th of November and will be happy to answer any questions you may have.

Yours faithfully,

Andrea Cullum

03/08/2026

To Whom It May Concern,

I am writing this letter as a character reference for my neighbour, Andrea Cullum and her family.

My family and I have lived next door to Andrea and her family for the past nine years. During this time, we have come to know them as caring, considerate, and responsible neighbours. They have always shown respect for those around them and have consistently demonstrated responsibility in all aspects of caring for Hazel.

Throughout the nine years we have lived beside them, Hazel has never caused any problems for me, my family, or anyone visiting our home. My children have been around Hazel on many occasions, and we have always found her to be a gentle, calm, and friendly dog. We have never had any reason to feel concerned for our safety or the safety of our children when Hazel has been present.

Andrea and family have always been a responsible dog owner. From my observations over many years, she has taken her responsibilities seriously and has cared for Hazel with love and attention. The incident that has occurred is completely out of character based on everything I have witnessed during the time we have been neighbours.

I have every confidence that Andrea and her family fully appreciate the seriousness of this situation. I also have complete confidence that they will comply with any requirements or management plans put in place to ensure an incident like this does not happen again. Knowing Andrea and her family as I do, I believe they will do everything necessary to maintain the safety of both the community and Hazel.

I hope this reference assists in providing some insight into Andrea's character and her long-standing commitment to being a responsible pet owner.

Yours faithfully,



Hazel Cullum

Appeal for Dangerous Classification

Regulatory Panel Hearing - 24th November 2026

Since the incident in July which led to Hazel's classification, a number of changes have been made to her life and home in order to ensure public safety and to abide by regulations. These are summarised below.

In public

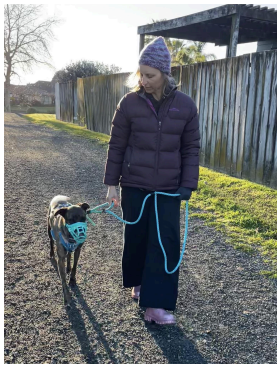
Since the incident in July, Hazel always wears her muzzle in public and we use a waist secured lead to prevent any accidental slipping of the lead. The lead ensures there is no chance of it accidentally slipping from my hand again. It also has a traffic handle for extra safety when she needs to be held close and can be adjusted to be between 0.5 and 1.8 metres long. This muzzle and lead was ordered before her classification was given, as I had already decided that she needed to be muzzled and on lead in public as a safety precaution regardless of whether a classification was given to her or not.











Property

Our property has always been securely fenced. Since Hazel's classification we have added extra internal fencing so that she no longer has access to the front gate and door. We now have options to contain Hazel on the deck, in the backyard, inside the house, or any combination thereof, depending on the need. She is always muzzled and on lead when in the front area or leaving the property.

These photos show the front area of the house where Hazel no longer has access without her lead and muzzle. This provides visitors with easy access to the front door of the house without coming into contact with Hazel.









These photos show the secure backyard and deck area that Hazel has access to. The deck balustrading has a gate at the back so that we can allow or restrict her access to the deck from the backyard as required.





This is the front gate of our property with a secure latch. We live in a back section, 4 houses back from the road. This means that there is no passing foot traffic, e-scooters or other vehicles to trigger Hazel's reactivity.





I have also placed a warning sign and a doorbell at the gate of the property so that visitors can alert us to their presence, in case they are unsure about entering or concerned about Hazel. This is not really necessary given she does not have access to the gate any more.

At Home

At home, Hazel is a relaxed, affectionate dog who has always been comfortable around people of all ages. She has welcomed other dogs into our home when we have been fostering or dog sitting for friends, happily sharing her beds, toys and humans.

[redacted]











Training and Reactivity

Hazel has made significant progress in her training over the last few years. While she used to react to a wide range of different vehicles, including large, slow vehicles such as rubbish trucks and buses, now she is mostly calm around traffic. Nowadays she only sometimes reacts, and only to fast moving e-scooters and motorbikes when they pass her in close proximity.

[redacted]

[redacted]

Chronic Pain

Hazel has recently been diagnosed with rheumatoid arthritis. Pain often increases reactions in dogs and now that this has been diagnosed her pain is being managed. This means we can expect even greater results in her training going forward.

[redacted]

Gmail [redacted]

Hazel

[redacted] Mon, Aug 3, 2026 at 10:45 AM

Hi,
My name is [redacted] I'm a certified plumber and have had the opportunity to work at Andrea and Hazels property on numerous occasions. I've always been greeted by Hazel with friendly acknowledgment and have never felt threatened or intimidated by her.
There have been times where it's only Hazel and myself and she has displayed only a fun loving nature, personally I would have no issues being around her whether it to be out walking or in her own home.
Please contact me if needed and again I personally find Hazel a happy family member.

Kind regards

[redacted]

POSITIVELY TOGETHER
Behaviour & training specialists

[redacted]

Tauranga District Council
Att: Team Lead - Animal Services

28/07/2026

Dear Mr Glossop and colleagues,

I am a certified trainer based in Aongatete, with a background in operational law enforcement canine training and handling as well as 10 years of pet dog training and behaviour consultation work around Bay of Plenty.

I am writing regarding the dog Hazel, owned by Andrea Cullum of Papamoa. I have known Andrea, her now 14-year-old daughter [redacted] and dog Hazel for four years. They attended my PupStars kids dog training classes in 2022, as well as doing private lessons with me. [redacted] also trained Hazel in agility at Tauranga Dog Training Club alongside my son during 2024-2025, so I have had ample time to observe her in that busy environment also.

I have observed Hazel to be a wonderful family dog. She is very accustomed to and relaxed around kids, having lived with Billie and her brothers and their visiting friends throughout her life. In the four years I have known Hazel, the one behavioural concern I have observed is a chase reaction to fast-moving triggers — eg cats, bikes, scooters. It is my understanding that this is what caused the recent incident: Hazel's drive to chase the scooter, not any aggression toward the child. What has changed in light of the recent incident is that Hazel is now muzzled and securely leashed at all times in public, and Andrea has been unwavering in making sure those measures are actually in place before Hazel leaves the property.

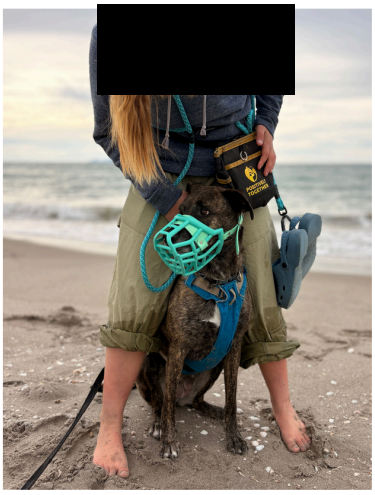
[redacted]s a youth leader in my Next Gen trainers programme, a genuinely talented trainer, and absolutely devoted to Hazel. Andrea is an extremely dedicated and responsible dog owner and has invested significant and ongoing time and money into training for Hazel. I also know Andrea to be a very law-abiding person, and she is determined that nothing like this incident will ever happen again. As such, she immediately had Hazel fitted for a muzzle, and is working with a team of trainers and dog behaviourists.

It is my understanding that this unfortunate event was the result of an accident (the lead pulling out of Andrea's hand), not due to owner negligence. In addition, my observations of the dog over the last four years indicate that she is biddable, sociable and extremely low risk in her home environment. It is for these reasons that I support Andrea in her appeal.

I hope this helps with your decisions. I am happy to be contacted directly.

Kind regards,

[redacted]



Hazel wearing her new muzzle on Papamoa beach Aug 2026



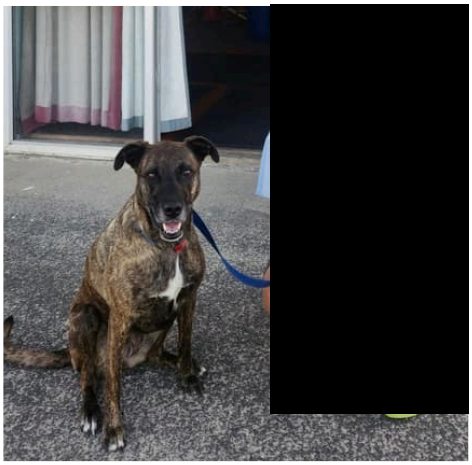
Hazel [redacted] graduating from Positively Together PupStars class 2022



Hazel [redacted] at agility class graduation - Tauranga Dog Training Club 2024



Haze [redacted] at prizegiving - Junior Dog Training Agility seminar 2024



Hazel [redacted] with agility trophy - Tauranga Dog Training Club 2025

Professional Dog Trainer
[redacted]
Paws & Thrive Dog Training
[redacted]

6 October 2026

Tauranga City Council
ATTN: Team Lead, Animal Services and Regulatory Panel

In Support of Hazel, owned by Andrea Cullum

To whom it may concern,

I am writing in support of Hazel, to provide a character reference and appeal for a downgrade in her status. It is my professional opinion that Hazel be downgraded from Dangerous to Menacing, due to the responsible actions of her owners and the control they show in all environments; the temperament assessed by multiple professionals including a rehab vet and clinical behaviour consultant; and the fact that public safety is adequately covered under a Menacing classification.

I first met the Cullums in 2022 when their daughter [redacted] started coming to the monthly animal training programme for youth co-founded by myself and [redacted] from Positively Together, an animal trainer based in Katikati, Western Bay of Plenty. I have

seen [redacted] and their family dog Hazel at Tauranga Dog Training Club and witnessed the control that multiple family members have over Hazel while training and running through agility drills at Club.

I have had the privilege of working with Andrea, [redacted] and Hazel fortnightly at Bayfair Reserve for reactivity training, through my own business Paws & Thrive Dog Training. Hazel has been a mentor dog for other fearful, reactive dogs at these sessions and has shown them how to be more confident and has always been under the complete control of her handler at all times. Hazel's fear of moving, noisy things has got to the point in our sessions together at Bayfair reserve where at times she has had zero reactions to seeing motorbikes and e-scooters move through the reserve. She has got to the point where reactions are only when surprised by something unexpected popping up well within her 5-8m space bubble.

Hazel's fear-based reactivity stems from her rescue background and Andrea has done an amazing job of desensitising and conditioning Hazel to be more content with typical day-to-day life in suburbia. Andrea has had great success desensitising Hazel to large moving vehicles such as rubbish trucks and buses, and Hazel now does not react negatively to these at all. This goes to show the dedication and commitment that this family shows to help Hazel through her struggles and challenges.

Recently, it has been found that Hazel has been coping with chronic pain and inflammation, as diagnosed by a vet this spring. This would have been driving the recent uptake in Hazel's barking and lunging on walks, as she had gone through a period of getting much better after significant, dedicated training. Hazel is now on a pain trial with medication on board and in my professional opinion her large reactions stem from pain and discomfort and with the right approach to her chronic pain we will see a significant decrease in Hazel's negative emotions around noisy, moving small vehicles such as motorbikes and e-scooters.

I have witnessed the ongoing commitment that this family has to not only the wellbeing of Hazel but also the commitment they have to work through Hazel's fears and phobias of the outside world, which is where her reactivity including barking and lunging comes from. They have complied with every request from TCC around the necessary precautions that needed to be taken to comply with a Dangerous classification.

I appeal to the TCC to allow Hazel's classification to be downgraded to Menacing, as Hazel poses no risk or threat or endangerment to the general public when following the rules required by a Menacing classification.

Ngā mihi,



22/07/2026

To whom it may concern,

I'm happy to share a few words about Hazel, a genuinely sweet-natured dog I've had the chance to watch grow and learn over time.

Hazel is a friendly, intelligent dog who responds well to the mental stimulation provided during our training sessions. She shows a clear willingness to learn, and it's been great seeing her training progress over the past six months.

One of the best parts has been watching her teenage handler, [redacted] working with her. [redacted] shows remarkable dedication. Their partnership is built on mutual joy and the bond between them is unmistakable. They make a fantastic team and the joy [redacted] gets from training Hazel is really something special. It has been a privilege to see how much pride and happiness [redacted] gains from their work together. Hazel's presence clearly contributes positively to [redacted] wellbeing, offering companionship, motivation, and a sense of accomplishment.

Our training sessions have been routinely held in various public spaces. More recently, repeat visits to Bayfair Reserve where we have encountered, and at times been approached by, several other dog owners and their off-lead dogs. We have also experienced many children passing by on bicycles, motorbikes, and e-scooters. During these times Hazel has always been completely under control and in no way a danger to society.

From everything I've seen, Hazel is a good-hearted, well-mannered dog who continues to thrive under thoughtful guidance and is clearly bringing a lot of positivity to a young person's life.

Yours Sincerely,

[redacted]

5.4 Appeal to Retention of Dogs Threatening Public Safety - Jamilah TAUEKI-WALKER

File Number: **A21415613**

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 from Jamilah Taueki-Walker for the release of her impounded dog**,** currently retained by Tauranga District Council pending prosecution.

RECOMMENDATIONS

That the Regulatory Hearings Panel:

(a) Receives the report "Appeal to Retention of Dogs Threatening Public Safety - Jamilah TAUEKI-WALKER".

(b) Resolves to either:

(i) **Uphold Council's decision** to retain the dog pending prosecution (**Recommended**); or

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

EXECUTIVE SUMMARY

2. The applicant Jamilah Taueki-Walker is the owner of a 5 year old male Staffordshire Bull Terrier cross named Nugget. This dog is retained under section 71, Dog Control Act 1996 (the Act), pending prosecution.

3. The applicant has been charged with being the owner of a dog that attacked stock, Section 57(2) of the Act, arising from an attack on a cow on 13 July 2026.

BACKGROUND

4. Nugget was previously classified as a dangerous dog by Christchurch City Council following aggressive behaviour and attack-related incidents. Records show Nugget has an extensive compliance history, including roaming, rushing, attack complaints, infringements, classification action, and registration offences.

5. The applicant moved with Nugget to Tauranga without notifying Tauranga City Council and did not have suitable secure fencing in line with the requirements of the Dangerous Classification. Nugget was unregistered.

6. On 13 July 2026, Nugget was being cared for by a house sitter, while the applicant was in Christchurch. The applicant had not advised the house sitter of the Dangerous Classification. The house sitter stated that they discovered a sliding door had been left open and Nugget had escaped from the property. Whilst searching for the dog, they later observed Nugget in proximity to a cow within some paddocks.

7. The Victim reported observing Nugget repeatedly jumping at, snapping, and making contact with their pet miniature cow, Murphy, for approximately two to three minutes before the dog left the paddock. Following the incident, blood was observed coming from Murphy's nostril. This location is adjacent to a daycare, and the children often feed Murphy.

8. Animal Services investigated the incident and subsequently reviewed information received from Christchurch City Council confirming Nugget's dangerous dog classification and enforcement history. An assessment of the incident and history informed a decision to prosecute.

9. The Objector submits that Nugget should be returned as containment improvements have been completed, including fencing works, installation of a lock on the sliding door, and additional family support to ensure Nugget is not left unattended. Animal Services acknowledges these steps; however, they require actions by the applicant to be effective, and the applicant has shown extensive history of non-compliance with required actions to date.

10. The Objector further submits that previous roaming issues primarily arose from inadequate fencing at earlier properties and that she now has greater experience managing Nugget.

11. While these explanations are noted, Council records demonstrate a pattern of enforcement action extending beyond a single containment issue and across multiple years.

12. The Objector advises that the incident occurred while Nugget was in the care of pet sitters and that she would not have left him had she appreciated the potential consequences.

13. The owner remains responsible for the management of the dog and acknowledged during her interview that she did not advise the carers that Nugget was a classified dangerous dog. Both the applicant and carer confirmed this information was not disclosed. It was not for the house sitter to know that the containment requirements were not suitable or lawful. Nor the true nature of, and risk posed by, the dog.

14. The Objector also raises concerns regarding communication from Council and the timing of receipt of Christchurch City Council records.

15. While there was a short delay to the enforcement decision, caused in part by requesting Christchurch records, this does not materially affect the facts established during the investigation. Nugget escaped from inadequate containment, could not be controlled, attacked stock, was unregistered at the time of the incident, and was already subject to a dangerous dog classification.

16. Animal Services therefore considers that the matters advanced in support of the objection do not outweigh the demonstrated risk factors, the circumstances of the incident, or the applicant and dog’s previous compliance history.

STATUTORY CONTEXT

17. 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.

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

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

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

    (b) Section 32, Effect of classification as dangerous dog.

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

    (d) Section 71B, Appealing retention decision to the District Court.

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

STRATEGIC ALIGNMENT

21. 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	☐

22. 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

23. Option 1: **Retain** the dog 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 and aggression history.
24. Option 2: **Release** the 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 consistent with the severity of the attack and aggression history.

FINANCIAL CONSIDERATIONS

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

RISKS AND LEGAL IMPLICATIONS

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

TE AO MĀORI APPROACH

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

CONSULTATION / ENGAGEMENT

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

SIGNIFICANCE

32. 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.

33. 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 needs 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.

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

ENGAGEMENT

35. 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.

Click here to view the TCC Significance and Engagement Policy

NEXT STEPS

36. Following the hearing, the Panel's decision will be formally notified to the Applicant. The decision may be appealed by lodgement with the District Court no later than 7 days after notification of the decision. Any release and ongoing compliance or enforcement actions will be undertaken in accordance with the final determination.

ATTACHMENTS

1. **Statement of dog carer - A21442453**
2. **Photo of injury to cow - A21442420**
3. **Other Council History - A21442425**
4. **Objection - A21442957**
5. **Confirmation of classification - A21442433**

CCM: 1282321 – Offender Statement - Domestic Animal Attacked/Stock Attacked.
Statement of incident taken with ASO [redacted]

Carer of dog at time of incident: [redacted]

D.O.B: [redacted]

Address: [redacted] **Phone:** [redacted]

Email address: [redacted]

Time and date & location of statement: 13/07/26 @1600hrs – 90 Devonport Road, Tauranga City Council Building.

Incident date: 13/07/26
Approx. time: 1040hrs **Location:** [redacted]

Dog details

Name: "NUGGET"

Breed: [redacted]

Color: [redacted]

Age: [redacted]

Sex: [redacted]

Registration: [redacted]

Dog owner: Milah Ventura [redacted]

This is an opportunity for you to provide me with your version of what happened.

You are not obliged to answer any of these questions.

You have the right to consult and instruct a lawyer in private, now or at any time during this interview.

Do you understand these rights? Yes

Do you want to talk to a lawyer? No

[redacted]

Statement of incident/event questions: I am staying at address [redacted] with my partner [redacted] we are backpacking and have been staying at this address since 08/07/26. I met the dog owner and dog on the 08/07/26 at 1100hrs.

On the time and date noted above I was at [redacted], in the bathroom. I came out of the bathroom and noticed that the sliding door was open.

I ran out onto the street and seen "NUGGET" by the roundabout. NUGGET was near a man with brown dog. The man was yelling at NUGGET. I was yelling at NUGGET to "come here" and saying "it's all good nugget" but he kept running.

NUGGET ran up to an older couple, and I think NUGGET got a fright because he started barking at them.

I told the man that it is not my dog and I am so sorry. I yelled out to NUGGET, still trying to call him back whilst running after him. I lost sight of NUGGET when he took off into the reserve.

I ran through the reserve and must have passed where he went, because I heard a cow in distress, I did not hear NUGGET barking, but I ran straight back where I heard the cow.

I seen the cow jumping up right at the fenceline. NUGGET was right at the cow's right side of his neck. I think the cow could have hurt himself on the fence post when it was jumping. I don't think that NUGGET was trying to attack the cow I think he wanted to play. The farmer was yelling at NUGGET.

NUGGET ran and somehow got back through the fence to me. He was very scared and laid down on his back and became submissive and was shaking. I put his collar straight on. As I was yelling over at the farmer that I was sorry, the same dog and owner from up by the round started walking towards us. He stopped next to me while NUGGET was still on the ground, scared. The dog approached NUGGET and it started barking at him.

NUGGET then slipped his lead trying to get away from the dog and ran into the pond. NUGGET was swimming around in the pond and I was running around the pond calling him. When NUGGET got out of the pond, he was still scared and shaking, I put the lead straight back on him. I let him calm down. I called [redacted] and she said she was bringing NUGGETS harness. I waited there with NUGGET on the leash till [redacted] came with the harness. We then put the harness and muzzle on NUGGET and a second leash and started to walk him back towards the farm because we wanted to talk with the farmer. We see that there were potentially police with the farmer and met with Animal Services at the reserve exit. [redacted]

Additional information:

[redacted] and I had discussed on the Facebook page of "Milah Ventura" that if we looked after her dog, we could stay a few nights at her address of [redacted], before we left the country. Milah Ventura also offered money for us to stay with NUGGET as she stated he has separation anxiety. Milah Ventura did not mention any classifications on NUGGET.

Map of incident:

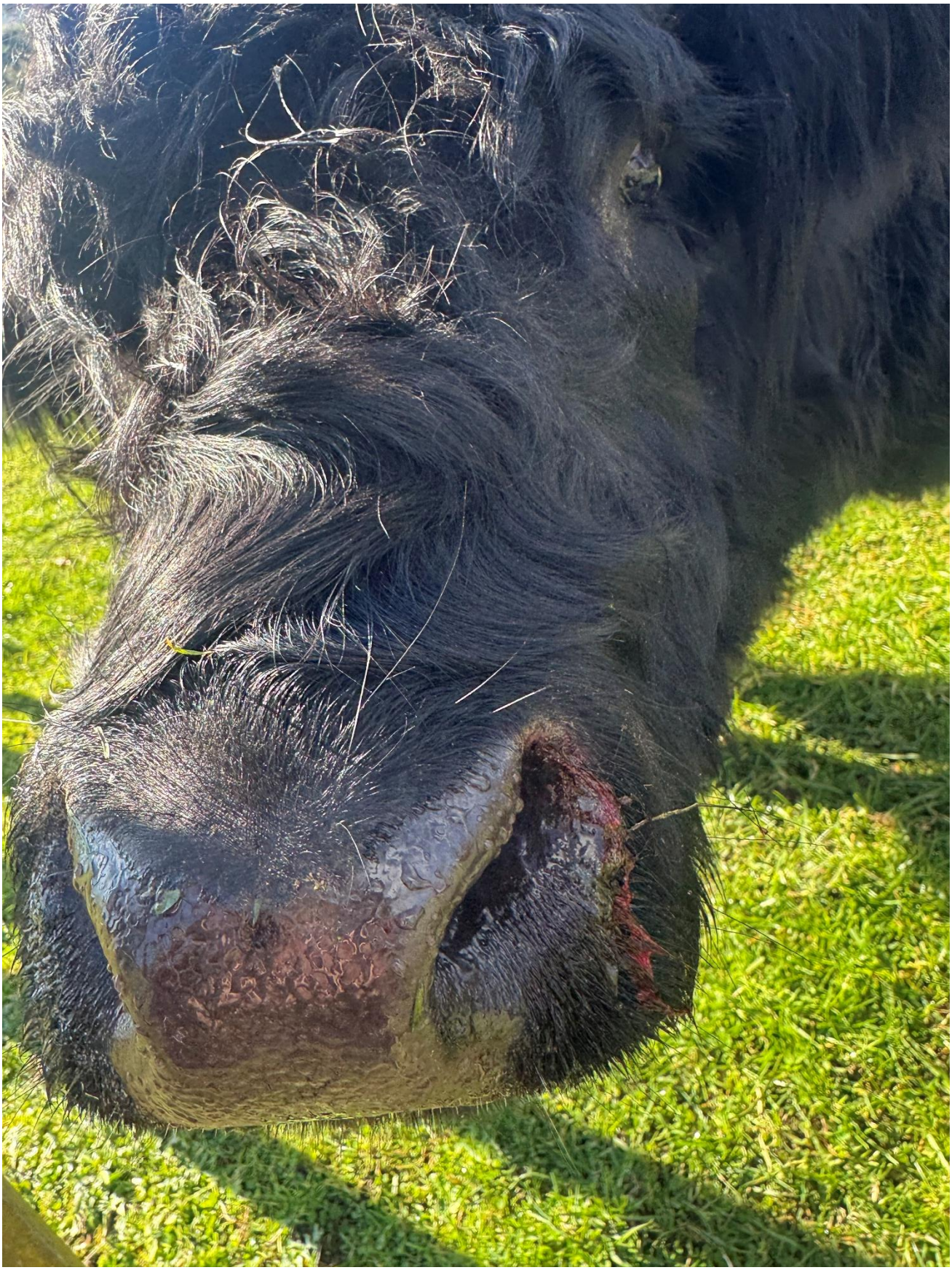


Declaration: This statement is true and correct and is made with the knowledge that it may be used for court proceedings.

Name: [redacted]

Signature: ___ [redacted] _____

Date: 13/07/2 [redacted]



Christchurch History		
Infringements	7/05/2026	Nugget
Dog rushing	4/05/2026	Nugget
Dog rushing	10/04/2026	Nugget
Wandering dog	5/04/2026	Nugget
Unregistered Dog	31/03/2026	Nugget
Infringement section 42	1/10/2025	Nugget
Infringement issued. Dog Registration 2025	27/06/2025	Nugget
Dangerous Dog Property Inspection for Nugget	27/03/2025	Nugget
Dog Rushing	8/01/2025	Nugget
Disqualified papers	20/11/2024	Nugget
Infringement	16/11/2024	Nugget
Dog rushing	12/11/2024	Nugget
Dangerous classification	3/09/2024	Nugget
Dog rushing	25/08/2024	Nugget
Warning - Dog Control - S57A - Nugget	22/08/2024	Nugget
Infringement S52A	22/08/2024	Nugget
Dog attack	20/08/2024	Nugget
Dog rushing	17/08/2024	Nugget
Dog Registration 2024	16/06/2024	Nugget
Infringement S52A	14/06/2024	Nugget
Dog wandering at large	13/06/2024	Nugget
Wandering dog	13/06/2024	Nugget
Wandering dog	11/06/2024	Nugget
Dog rushing -	10/06/2024	Nugget
Dog Attack	8/06/2024	Nugget
Dog Attack	1/06/2024	Nugget
Infringed section 33EC(1) - Nugget	11/03/2024	Nugget

S52A Warning -Nugget	7/03/2024	Nugget
Historic rushing dog	5/03/2024	Nugget
Warning S 52(A) - Nugget	31/01/2024	Nugget
Dog rushing	28/01/2024	Nugget
Infringements - section 52A - Nugget	24/01/2024	Nugget
Nuetered 03/04/2024	16/01/2024	Nugget
Infringed sec 52A and Class MED - Dog Attack	28/12/2023	Nugget
Infringement Dog Control Act S42	28/11/2023	Nugget
Infringement Dog Control Act Section 52A	20/10/2023	Nugget
Wandering dog	19/10/2023	Nugget
Wandering dog	16/10/2023	Nugget
Infringed section 42	26/08/2023	Nugget
Dog Attack	28/07/2023	Nugget
Wandering dog	20/01/2023	Nugget
Dog Attack	11/01/2023	Nugget
Wandering Dog	26/12/2022	Nugget
Wandering dog	26/11/2022	Nugget
Unreg Dog	17/11/2022	Nugget
Hamilton History		
Dogs - Roaming	20/07/2021	Nugget

RE: Nugget (Impound [redacted])
From Milah Ventura [redacted]
To info@tauranga.govt.nz
20/08/2026 12:06 pm

To the team Leader of the Tauranga animal services.

Kia ora, i am wanting to object to my dog Nugget being held pending
the outcome of prosecution and request to have him released and returned home.

I have paid $660 in registration,impound ,seizure and daily substance fees so far with the understanding that once I've put a fence up to make my entrance accessible for visitors without having contact with him he would be returned home as well as me paying
the extra $14.50 per day.

& i have now been told as of 08/08/2026 that the tauranga animal control is looking into prosecuting myself as they have only just now on the 08/08/26 received his history from the christchurch city council after him being in the dog pound for 27 days.

The animal control officer named ibanez who visited said her boss will contact me when he returns from leave on the Monday after the 08/08- so he can give me a better understanding on what this means as she wasn't 100% sure and didn't have any answers for the questions i was asking.

As of today (20/08/2026) I still have not heard back from her boss or anyone in regards to this. I have made follow up emails during this time with no word back.

I made a call to the pound today and she has said the Team leader is away on holiday again and will be back on the following Monday from today (20/08/2026)

I have got the fence done that I was told I needed to get put up.

My sliding door has a lock at the top to prevent him from opening it.

And my grandmother has moved here from Christchurch to support me with Nugget. So he will never be left alone at anytime during the day or night.

Just to give you a better understanding as well with nuggets history in the christchurch district - My previous address did not have a fence to keep him in the gate when he was outside. I have learned from this and I know to keep him on a leash while taking him

outside into the yard.

I was also told the council was given a history of nugget when he was based in hamilton.

This is where I had got him from. I got Nugget out of the hamilton dog pound when he was a puppy (about 6/7 months old) as a family member of mine took him down to the lake and lost him. That is when he was picked up by the council there. I flew to Hamilton from
Christchurch to get him out of the pound and bring him back home with me to Christchurch. I was 17 years old at the time & he was my first dog.

We then moved into the property where there was no fence or much of a yard for him and this is where his roaming would start coming into play. At this time I had an abusive ex partner. Nugget also started to get PTSD & separation anxiety during this time when
I would be away from him he would start to open sliding doors and windows just to get out of this house that he did not want to be in alone.

Now in May 2026 - I have just moved him up to Tauranga with me from Christchurch where I was hoping for a fresh start for us both. We finally have a huge yard with a high fence and I also have the knowledge that I didn't have previously when I first got him at
17years old.

I understand the importance of other people's safety and how to prevent these situations. It was just very unfortunate that the time he did get out of my property I wasn't here to prevent this from happening and he was being looked after by pet sitters.

This is a mistake of mine that I will not let happen again. It was my first time hiring a pet sitter as I never had to find a pet sitter when we lived in Christchurch because I had family there to help me watch him. I had to find these pet sitters at the very last
minute as my great grandfather had passed away and I needed to head back to Christchurch for his funeral.

While i was still down in christchurch is when nugget ended up in the pound here in tauranga. Upon my arrival back to Tauranga my grandmother has moved up here to support me and nugget as if I do ever need to leave my property he won't go into a panic and try to get out as he will always have someone with him to prevent this ever happening again.

Please if you could consider my request to have him returned home that would mean the world to me.

He is very loved and missed.

This has been such a long, hard & traumatic process as there has been a huge lack of communication during this.

Had I of known leaving him here would end up in his life being on the line from this incident

I would have never left him and would have stayed.

This is something I know now and have taken full responsibility for with the right precautions to prevent this from ever happening again. If you give me the chance to do so I would be forever grateful .

Thank you.

Christchurch City Council

[Office Copy]

Confirmation of the effects of dangerous dog classification

Section 32 - Effect of classification as dangerous dog

Hybris Number [redacted]

If a dog is classified as a dangerous dog under section 31, the owner of the dog must do and be aware of the following:

- ✓ **CONTAINMENT:** the dog must be kept within a securely fenced portion of the owner's property. Person entering property must have dog free access to at least 1 door of any dwelling on the property, (completed no later than 1 month after receipt of classification notice), pursuant to Section 32(1)(a)
- ✓ **MUZZLED:** Dog must be muzzled in any public place or private way, pursuant to Section 32(1)(b)
- ✓ **DE-SEXED:** Dog must be de-sexed 1 month after receipt of classification notice, pursuant to Section 32(1)(c)
- ✓ **MICROCHIPPED:** Dog must be microchipped within 2 months of receipt of the notice, pursuant to Section 36A(1)(a) and (5)(b)
- ✓ **REGISTRATION FEES:** Fees for the dog will be at 150% of the level that would apply if the dog were not classified as dangerous. Commences the year after the receipt of the notice, pursuant to Section 32(1)(e)
- ✓ **SELL/DISPOSE:** Dispose of the dog to any other person without written consent of the territorial authority in whose district the dog is kept, pursuant to Section 32(1)(f).
- ✓ **BREACH OF CLASSIFICATION:** Dog may be seized and dog owner prosecuted or infringed if compliance is not met
- ✓ An Animal Management Officer has explained the classification to me

I, Jamila

confirm that I have read and fully understand all of the requirements relating to this dangerous dog classification as provided with the Council documentation.

Dog name: Nugget Dog ID number: [redacted]

Signed: J W Date/Time: 05/09/2024 15:21

Dangerous Dog Owner

Refused to sign:

Placed in mailbox:

Signed: [redacted] Date/Time: 05/09/2024 15:21

[redacted]

Officer Number: [redacted]

Christchurch City Council

5.5 Appeal to Retention of Dogs Threatening Public Safety - Paul HEGARTY

File Number: **A21415624**

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 Paul Hegarty, for the release of the dogs Biggie and Cookie which are currently retained by Tauranga City Council pending prosecution.

RECOMMENDATIONS

That the Regulatory Hearings Panel:

(a) Receives the report "Appeal to Retention of Dogs Threatening Public Safety - Paul HEGARTY".

(b) Resolves to either:

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

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

EXECUTIVE SUMMARY

2. The applicant Paul Hegarty is the owner of Biggie, a three year old male Sharpei Cross and Cookie, a 5 year old female American Bulldog Cross.
3. The applicant has applied for the release of these dogs, being retained by council pending prosecution.
4. The prosecution is resultant from an incident on the 6th of May 2026, involving both dogs attacking a cat whilst in possession of the applicant's partner Samantha Duffin.
5. Samantha Duffin is charged with being the owner of a dog that attacked a domestic animal- Section 57(2), Dog Control Act 1996.

BACKGROUND

6. On the 22nd of April 2026 both Biggie and Cookie were classified as menacing by deed after a previous incident where they both attacked another dog in a public place.
7. On the 6th of May 2026, the applicant's partner, Samantha Duffin, was walking Biggie and Cookie on leads. She did not have muzzles on the dogs as per the requirement of the menacing classification.
8. The dogs saw and chased after a cat. One broke free of Ms. Duffin's grip whilst the other dragged her. Both dogs chased the cat to the rear of a residential property where they cornered the cat and both bit the cat multiple times. Ms. Duffin was unable to stop the attack or control the dogs until witnesses intervened. The cat was severely injured as a result of the dog bites and subsequently passed away on the to the vet.
9. Biggie and Cookie were subsequently seized and impounded.

10. Biggie has a history of killing chickens, attacking another dog, roaming numerous times and has been the subject of two infringements both - Failure to keep dog under control.
11. Biggie has been impounded once prior to the current impounding.
12. Cookie has a history of killing chickens, attacking another dog, roaming even more times that Biggie and has been the subject of 5 infringements – 4x Failure to keep dog under control and 1x Failure to register dog.
13. Cookie has been impounded three times previous to the current impounding.
14. The applicant has not paid any of the infringements before they were filed with the court.
15. In February 2024 the applicant was disqualified from owning dogs due to three or more infringements within 24 months. The disqualification was revoked by the Animal Services Team Lead at the time upon appeal by the applicant, sighting improvements to the property to contain the dogs.
16. The applicant submits that Cookie and Biggie are valued members of the household and provide significant emotional support to both himself and his daughter. The applicant advises that the absence of the dogs has caused distress and disruption to family life.
17. Animal Services acknowledges the personal importance of the dogs to the household and the impact their absence has had on family members. However, the panel must determine whether release of a dog would create a risk to the safety of persons, stock, poultry, domestic animals, or protected wildlife.
18. Animal Services considers the emotional impact of the retention does not, on its own, outweigh the consideration of future physical and emotional harm the release of the dogs could cause.
19. The applicant accepts that the incident should not have occurred and advises that the dogs were not adequately controlled or contained at the time.
20. Animal Services acknowledges the acceptance of responsibility. However similar conversations were had with the applicant after the previous attack, for which the dogs were classified menacing. Yet the assurances of complying with this classification fell short, resulting in the death of a beloved pet.
21. The applicant advises that measures have been implemented to prevent any future incidents, including:
    - Installation of improved fencing.
    - Installation of new gates.
    - Security cameras.
    - Alarmed gates.
    - GPS tracking collars.
    - Muzzles.
22. The applicant submits that these measures significantly reduce the likelihood of future incidents.
23. Animal Services acknowledges the steps reportedly taken since the incident. The improvements are relevant and demonstrate an intention to improve containment and management of the dogs primarily at home. However, most of these measures rely on continued actions to be taken by the applicant to be effective. The applicant’s history shows repeated failures to take required actions. Furthermore, these measures do not properly address how the dogs will be exercised, which the most recent attack has highlighted as a difficult task.
24. The applicant advises that he is willing to comply with all Council requirements and pay any fees associated with the return of the dogs.

25. Animal Services acknowledges the willingness expressed by the applicant to comply with Council requirements. While the measures proposed by the applicant are relevant considerations, Animal Services considers they do not sufficiently alter the circumstances that gave rise to the retention decision.

26. The seriousness of the incident, when considered alongside the known compliance and enforcement history, remains the primary consideration. Accordingly, Animal Services remains of the view that the factors supporting retention continue to exist and that the original decision remains appropriate pending the outcome of prosecution proceedings.

STATUTORY CONTEXT

27. 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.

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

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

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

    (b) Section 33E, Effect of classification as menacing dog.

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

    (d) Section 71B, Appealing retention decision to the District Court.

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

STRATEGIC ALIGNMENT

31. 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	☐

32. 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

33. 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 attacks and aggression history

34. Option 2: Release one or 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 attacks and aggression history

FINANCIAL CONSIDERATIONS

35. Release of the dogs would be subject to statutory requirements to pay outstanding fees.

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

RISKS AND LEGAL IMPLICATIONS

37. If the dogs are released and a subsequent incident occurs, Council may be exposed to risk.

38. Retention of the dogs is consistent with enforcement obligations and public safety considerations.

39. The Panel's decision is confined to Section 71 risk considerations and should not pre-empt criminal proceedings.

TE AO MĀORI APPROACH

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

CONSULTATION / ENGAGEMENT

41. Engagement has been limited to statutory notifications and correspondence with the Applicant, their legal counsel and the registered owners.

SIGNIFICANCE

42. 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.

43. 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 needs 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.

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

ENGAGEMENT

45. 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.

Click here to view the TCC Significance and Engagement Policy

NEXT STEPS

46. Following the hearing, the Panel's decision will be formally notified to the Applicant. The decision may be appealed by lodgement with the District Court no later than 7 days after notification of the decision. Any release and ongoing compliance or enforcement actions will be undertaken in accordance with the final determination.

ATTACHMENTS

1. Objection - A21443538 ⇩

From: [redacted]
Sent: Tuesday, September 8, 2026 1:48 PM
To: INFO@tauranga.govt.nz
Subject: Fwd: ATT: OSCAR REQUEST FOR THE RELEASE OF OUR FAMILY DOGS , COOKIE AND BIGGIE HEGARTY.

Dear Animal Control Team,

I am writing to formally request the release and return of our family dogs, Cookie and Biggie , who were taken into your care on 27th April 2026.

Our Dogs are irreplaceable members of our household, and their absence is causing severe distress to my child and i
Cookie and Biggie both play vital roles in our home, Cookie and Biggie, provide essential and emotional support for my daughter ,who lost her mother, who died tragically.

Cookie was brought for Sarah as a compainion
to help her cope with the greiving process, Also the seperation anixity, when i was hospitalised for a long period of time ,the same time we lost mum.

Ive also had a life changing accident that cost me the loss of my left leg, and the sight of one of my eyes, not to mention all of the surgeries and hospital visits. My dog provide me with secruity protection around our home, as they are inside dogs.

The sudden seperation, has significantly impacted our daily routines and relationship with my child. Sarah my daughter is deeply attached to our dogs, as both raised by her from puppies. She is now having behavioural problems wont go to school and is heartbroken by their absence.

it was completly unacceptable that my dogs were able to cause such harm and im devasted that my partner failed to control and contain our dogs.
We are fully prepared to pay any other necessary release fees, and are wanting to work closely with Tauranga Council to ensure all local compliance rules, are met, and to keep the communtiy safe.
We love our dogs and we have taken neccesary steps to ensure this never happens again, ect fully fenced property new gates,
Secruity cameras on the driveway, alarmed gates, and gps collars with muzzels

Thankyou for looking after our family members, and for your time, empathy and communication, from Pat. , We look forward to reclaiming and bringing Cookie and Biggie home as soon as possible.

Yours Sincerely ,

Samy ,
Paul and Sarah Hegarty.

5.6 Appeal to Retention of Dogs Threatening Public Safety - Tina BOWRING on behalf of John WALSH and Kelly O'CONNOR

File Number: **A21415643**

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 Tina Bowring, for the release of the dogs Lil Dee, Dove and Smalls (aka Phatty) which are currently retained by Tauranga City Council pending prosecution.

RECOMMENDATIONS

That the Regulatory Hearings Panel:

(a) Receives the report "Appeal to Retention of Dogs Threatening Public Safety - Tina BOWRING on behalf of John WALSH and Kelly O'CONNOR".

(b) Resolves to either:

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

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

EXECUTIVE SUMMARY

2. John Walsh is the registered owner of Dove, a two-year-old Sharpei Mastiff Cross and Lil Dee, a two-year-old Sharpei Cross.
3. Kelly O'Connor is the registered owner of Smalls (aka Phatty), a three-year-old Sharpei American Pit Bull Terrier Cross. Smalls was classified as menacing by deed after a rushing incident in 2025.
4. Both registered dog owners have provided authorisation for the applicant Tina Bowring to receive information and make decisions pertaining to these dogs and have indicated that the dogs are usually in the possession of the applicant.
5. The applicant has applied for the release of these dogs, being retained by council pending prosecution.
6. The prosecution is resultant from two separate incidents involving the dogs Lil Dee, Dove and Smalls (aka Phatty) attacking whilst in the possession of the applicant.

BACKGROUND

7. On 3 March 2026, four dogs under the care and control of the applicant were identified as participating in a serious attack on a dog named Tessy, causing nearly fatal injuries. Dove, Lil Dee and Smalls (aka Phatty) were all identified as participating in the incident. Statements from witnesses describe a sustained attack on Tessy, who was being walked on leash.
8. The attacking dogs were described as being so vicious that a passing worker who tried to intervene was forced to seek refuge on the roof of his vehicle.

9. After the attack, Animal Services were unable to locate the applicant or her dogs despite numerous enquiries.

10. On 8 March 2026, the fourth dog identified from the attack, a puppy named Echo, belonging to the applicant's daughter, was located and impounded.

11. Prompted by the impoundment of Echo, the applicant submitted a statement by email. In explanation she stated that the dogs had wound down the window of her vehicle before escaping the vehicle and attacking. She further stated that since the incident the other dogs responsible for the attack had been humanely destroyed.

12. Echo was eventually found to have had only minor involvement in the attack incident and was classified as menacing before release.

13. Animal Services were unable to verify the claim the other dogs were destroyed and were in the process of preparing to conduct search warrants at six addresses associated to the applicant to locate the dogs.

14. On 10 April 2026 Animal Services were called to a short-term rental property, rented by the applicant, where the three dogs, Lil Dee, Dove and Smalls (aka Phatty), clearly not destroyed after all, had attacked two people. The two victims, who had attended the property in the course of their work as property managers, sustained bite injuries requiring medical treatment.

15. The three dogs Lil Dee, Dove and Smalls (aka Phatty) were seized and impounded.

16. The applicant faces a total of 7 charges from the two incidents for being the owner of a dog that attacked a person/domestic animal- Section 57(2), Dog Control Act 1996.

17. These charges relate to all three of the dogs biting.

18. Lil Dee has previously been reported for barking.

19. Dove has previously been investigated for killing a cat, attacking another pet dog, rushing at a mother and her baby and been reported for roaming and barking.

20. Smalls (aka Phatty) has also been investigated for killing a cat, attacking another pet dog, rushing at people multiple times and been reported for roaming and barking.

21. Council records further identify a lengthy history of roaming, rushing and attack-related complaints associated with other dogs under the applicant's possession.

22. Council records show that in two previous investigations involving the applicant's dogs, witnesses declined to provide evidential statements regarding offending due to risk of retribution.

23. A recurring feature of Council's previous investigations has been the transfer or registration of dogs into the names of third parties while the applicant continued to exercise possession of those dogs. Council records identify multiple occasions where dogs linked to the applicant were registered to, or purportedly owned by, other individuals while continuing to reside at addresses associated with her or remain under her day-to-day management.

24. Animal Services considers this history relevant when assessing the veracity, reliability and permanence of any proposed arrangement.

25. In support of the application, the applicant submits that:

    - Section 71 allows an application for release at any time and requires a forward-looking risk assessment.
    - The dogs should be assessed individually.
    - Any risk can be managed through secure third-party placement, professional training and behavioural assessment.
    - Conditions could be imposed to mitigate safety concerns.

- Continued detention may be having welfare impacts on the dogs.
- Independent veterinary and behavioural assessments should be permitted.
- Council should consider alternatives to continued detention pending prosecution.

26. Animal Services acknowledges these submissions. However, the statutory test under Section 71(5) is whether Council can be satisfied that release will not threaten the safety of any person, stock, poultry, domestic pet or protected wildlife.

27. Transferring the management of risk to any proposed facility, training programme or by a future management plan does not remove the requirement for Council to be satisfied that the identified risks have been adequately mitigated.

28. While the application refers to a secure third-party placement, no independently verified facility details, containment specifications, behavioural programme, operational management plan or expert assessment has been provided to Animal Services. Accordingly, the proposal remains conceptual and cannot presently be assessed beyond a general description of intended controls.

29. Animal Services accepts that each dog must be considered individually. Council's records identify Dove, Lil Dee and Smalls as dogs involved in serious offending or alleged offending, together with extensive roaming and enforcement history. The available evidence demonstrates an ongoing risk profile for each of the three dogs individually.

30. The welfare concerns raised by the applicant have been noted. Animal Services accepts that these dogs are particularly difficult to manage because of their extreme aggression.

31. The applicant also raised welfare concerns with MPI, who conducted an inspection and concluded that the welfare of these dogs was being managed appropriately within the pound.

32. Animal Services maintains that all three of these dogs must be retained pending prosecution because reasonable grounds exist that the release of any of the three dogs would threaten the safety of any person, stock, poultry, domestic pet, or protected wildlife.

STATUTORY CONTEXT

33. 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.

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

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

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

    (b) Section 33E, Effect of classification as menacing dog.

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

    (d) Section 71B, Appealing retention decision to the District Court.

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

STRATEGIC ALIGNMENT

37. 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	☐

38. 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

39. 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 attacks and aggression history

40. Option 2: Release one or more 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 attacks and aggression history

FINANCIAL CONSIDERATIONS

41. Release of the dogs would be subject to statutory requirements to pay outstanding fees.

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

RISKS AND LEGAL IMPLICATIONS

43. If the dogs are released and a subsequent incident occurs, Council may be exposed to risk.

44. Retention of the dogs is consistent with enforcement obligations and public safety considerations.

45. The Panel's decision is confined to Section 71 risk considerations and should not pre-empt criminal proceedings.

TE AO MĀORI APPROACH

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

CONSULTATION / ENGAGEMENT

47. Engagement has been limited to statutory notifications and correspondence with the Applicant, their legal counsel and the registered owners.

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 needs 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 medium significance.

ENGAGEMENT

51. 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.

Click here to view the TCC Significance and Engagement Policy

NEXT STEPS

52. Following the hearing, the Panel's decision will be formally notified to the Applicant. The decision may be appealed by lodgement with the District Court no later than 7 days after notification of the decision. Any release and ongoing compliance or enforcement actions will be undertaken in accordance with the final determination.

ATTACHMENTS

1. **Photographs of injuries to the victims - A21443522**
2. **Photos of Tessy's injuries - A21456088**
3. **Objection - A21443531**



Injury to person 1



Injury to person 2



Injury to person 2 (delayed bruising)





EMAIL RECEIVED VIA INFOQUEUE:
EMAIL ADDRESS: [redacted]
DATE/TIME: 1:13 pm 11.09.2026
EMAIL READS:

URGENT APPLICATION UNDER S 71(4) DOG CONTROL ACT 1996 - Release of Phatty, Dove and Lil Dee pending prosecution

Kia ora,

ATTENTION: Regulatory Hearings Panel / Animal Services / Senior Council decision-maker

Please treat this email as a formal application under section 71(4) of the Dog Control Act 1996 for the release of Phatty, Dove and Lil Dee pending determination of the prosecution.

Section 71 expressly provides that an owner of a dog kept in custody under section 71(2) may apply AT ANY TIME to the territorial authority for release. Under section 71(5), if Council is satisfied that release will not threaten the safety of any person, stock, poultry, domestic pet or protected wildlife, Council must, subject to section 71(7), return the dog.

I therefore ask Council to urgently place this application before the Regulatory Hearings Panel/appropriate delegated decision-maker and assess the actual risk presented by each dog individually, including whether any perceived risk can be adequately controlled through a secure placement, professional training and a documented safety and rehabilitation plan.

This is not a request to minimise public safety. It is a proposal to manage public safety through a significantly more controlled environment than ordinary return home while giving the dogs an opportunity for professional assessment, rehabilitation and training during the period before the prosecution is determined.

FUNDED SECURE THIRD-PARTY PLACEMENT AND TRAINING

My aunties, [redacted], have offered to pay for Phatty, Dove and Lil Dee to be placed in a suitably secure professional facility that can safely house them and provide professional training specifically directed at their behaviour around other animals.

This means I am not asking Council simply to return the dogs to an ordinary residential environment without safeguards. I am asking Council to consider release into an approved secure placement where risks can be professionally managed and the dogs can be assessed, trained and rehabilitated.

We are willing to work with Council to identify a facility acceptable to Council and to provide details of the facility, security arrangements, trainers/behaviourists, management plan and funding commitment before the dogs physically leave Council custody.

We would also agree, where lawful and appropriate, to conditions such as:

direct transfer from the pound to the approved secure facility;
no unsupervised public access;
secure fencing/containment and no opportunity to roam;
controlled handling only by approved/responsible handlers;
leash and muzzle requirements when outside secure containment;
separation and controlled exposure to other animals according to professional behavioural advice;
independent professional behavioural assessment of each dog;
individual training/rehabilitation plans, particularly concerning responses to other animals;
owner/handler training before any later return to ordinary home care;
veterinary examination and compliance with veterinary recommendations;
microchipping, registration and all statutory requirements;
Council inspection or verification of the proposed facility/containment arrangements before release;
written progress reports from the trainer/behaviour professional if appropriate; and
any other proportionate safeguard that would enable Council to be satisfied that release will not threaten the safety categories listed in section 71(5).

RELEVANCE OF COUNCIL'S OWN SECTION 71 PRACTICE

I understand Tauranga City Council's Regulatory Hearings Panel has previously recognised that a section 71 application requires the Panel to decide whether release will threaten the safety of people or animals and that the Panel may return a dog if satisfied the statutory safety test is met.

I also understand Council's recent section 71 material describes this as a forward-looking assessment of risk, regardless of the eventual outcome of the prosecution, and recognises that the Panel may grant release of a dog pending prosecution subject to lawful conditions.

I therefore ask Council to assess the concrete secure-placement proposal we are offering rather than treating the alleged incident alone as automatically determining the release question.

INDIVIDUAL ASSESSMENT

Please assess Phatty, Dove and Lil Dee separately. I ask Council to identify, for each dog:

the specific evidence said to establish that release to the proposed secure professional placement would threaten a person, stock, poultry, domestic pet or protected wildlife;
which category/categories of safety risk Council relies upon;
whether that risk is said to arise from the alleged incident, prior history, observed behaviour in the pound, or other evidence;
what weight Council places on behaviour observed after approximately five months of confinement;
whether Council has obtained an independent professional behavioural assessment of that dog;
what specific safeguard(s) could reduce the perceived risk to an acceptable level; and
if Council says no possible secure placement or release arrangement could satisfy section 71(5), the factual reasons for that conclusion.
WELFARE AND PROLONGED DETENTION

This application should also be considered in the context of the welfare concerns I have raised with Council, SPCA and MPI.

The dogs have been detained for approximately five months. During my recorded visit to the pound I was told they had not been weighed since arrival. When I asked whether they came out of their cages I was told "No"; when I asked how they were exercised I was told "They're in their cage" and then "They're not." I was told Phatty and Dove had only just been moved into longer runs on the day of our visit, and when I asked whether this was their first time in the sun since being there for approximately five months, the recorded answer was "Yeah."

I have also been informed of emerging health concerns, including Phatty becoming thin and eating her faeces, Dove experiencing skin/foot irritation and her known chicken allergy, and concerns affecting Lil Dee. The veterinary assessment was described during our recorded visit as "just a visual."

Section 71(2) itself requires a dog retained pending prosecution to be given proper care and exercise. The Animal Welfare Act 1999 also recognises physical, health and behavioural needs, including the opportunity to display normal patterns of behaviour and rapid diagnosis of significant injury or disease.

I ask Council to consider whether continued prolonged pound detention is necessary where public safety can potentially be protected more effectively through a professionally supervised secure placement with training and behavioural intervention.

BEHAVIOUR DURING DETENTION

I am particularly concerned that behaviour arising or deteriorating during prolonged confinement could later be treated as evidence that a dog is inherently unsafe. I therefore ask that any assessment of current behaviour expressly consider the duration and conditions of detention and that Council permit an independent behavioural assessment in conditions that allow a qualified professional to distinguish, as far as reasonably possible, confinement-related stress from underlying behavioural risk.

This is also why the proposed secure training placement is important: it would generate objective professional evidence about each dog's behaviour, response to structured training and ability to be safely managed around other animals.

REQUEST FOR INTERIM STEPS

Pending determination of this section 71(4) application, please urgently:

permit an independent hands-on veterinary examination of all three dogs;
permit an independent professional behavioural assessment;
allow us to identify and put forward a suitably secure professional facility and trainer for Council's consideration;

advise what minimum security/management requirements Council would require such a facility to meet;
preserve all records relevant to the dogs' health, exercise, behaviour and detention;
provide appropriate exercise, enrichment and outdoor access consistent with their welfare and safe handling; and
advise what further evidence Council requires from me to demonstrate that the proposed release arrangements satisfy section 71(5).

DECISION AND APPEAL RIGHTS

Please provide a written decision for each dog with reasons and the evidence relied upon.

Section 71(6) provides a right of appeal to the District Court if I am dissatisfied with Council's decision on this application. I therefore ask that any refusal clearly identify Council's reasons so that I can obtain legal advice and, if necessary, exercise that statutory right promptly.

Please acknowledge this as a FORMAL SECTION 71(4) RELEASE APPLICATION and advise urgently:

who will determine it;
when it will be heard/considered;
whether I may provide further written or oral submissions;
what documents/evidence Council requires;
whether [redacted] may provide written confirmation of their commitment to fund the secure professional placement and training;
whether an independent trainer/behaviourist or veterinarian may provide evidence; and
whether Council will consider secure third-party placement and lawful conditions as part of deciding whether the statutory safety test is met.

I am ready to work constructively and immediately on a robust safety plan. My objective is to demonstrate through evidence, secure professional placement, behavioural assessment, training, owner education and practical safeguards that Phatty, Dove and Lil Dee can be managed without threatening public safety or other animals while the prosecution remains unresolved.

Nga mihi,

Tina Bowring

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 16 September 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 3 August 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

7 CLOSING KARAKIA