

A Meeting of the Animal Control will be held as follows:

Date: Tuesday 20 January 2026
Time: 3:00pm
Venue: Council Chambers, 105 Tainui Street, Greymouth

Joanne Soderlund
Chief Executive

AGENDA

Members:

Chair: Councillor Jack O'Connor
Members: Councillor Kate Kennedy
Councillor Paulette Birchfield

(Quorum 2 members)

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The information in this document is provided to facilitate good competent decisions by Council and does in no way reflect the views of Council. Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.

TERMS OF REFERENCE

Type of Committee	Council Committee
Subordinate to:	Council
Subordinate Committee	None
Legislative Basis	Created by Council pursuant to the Dog Control Act
Membership	Chair: Cr Jack O'Connor Member: Cr Kate Kennedy Member: Cr Paulette Birchfield
Quorum	Two members (2)
Meeting frequency	As and when required.
Terms of Reference	To hear and determine appeals to classifications of dogs.
Limits to Delegation	The principles of natural justice must be adhered to and be applied.
Power to Act.	Full delegation.
Referral to Council	The minutes of the Committee serve before Council for information.
Management responsibility	Group Manager Economic Development & Regulatory Services

SUB-COMMITTEE IN OPEN MEETING

GENERAL BUSINESS AND TABLED ITEMS

Items not on the agenda for the meeting require a resolution under section 46A of the Local Government Official Information and Meetings Act 1987 stating the reasons why the item was not on the agenda and why it cannot be dealt with at a subsequent meeting on the basis of a full agenda item. It is important to note that late items can only be dealt with when special circumstances exist and not as a means of avoiding or frustrating the requirements in the Act relating to notice, agendas, agenda format and content.

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

Sub-Committee members are reminded that if he/she has a direct or indirect interest in any item on the agenda be it pecuniary or on grounds of bias and predetermination, then he/she must declare this interest and refrain from discussing or voting on this item.

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1 APOLOGIES AND DECLARATIONS OF INTEREST

1.1 APOLOGIES

Cr Paulette Birchfield is on leave of absence from 20/01/26 to 20/01/26

1.2 UPDATES TO THE INTERESTS REGISTER

Sub-Committee members to please advise if there are any changes to be made to the current Interests Register.

1.3 IDENTIFY ANY CONFLICTS OF INTERESTS IN THE AGENDA

Notification from committee members of:

- 1.3.1 Any interests that may create a conflict with their role as a committee member relating to the items of business for this meeting (prior to taking part in the deliberation of a particular item); and
- 1.3.2 Any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members' Interests) Act 1968.

1.4 NOTIFICATION OF LATE ITEMS

Where an item is not on the agenda for a meeting, that item may be dealt with at that meeting if:

- 1.4.1 The Committee by resolution so decides; and
- 1.4.2 The Chairperson explains at the meeting at a time when it is open to the public the reason why the item is not on the agenda, and the reason why the discussion of the item cannot be delayed until a subsequent meeting.

2 AGENDA ITEMS

2.1 OBJECTION TO MENACING DOG CLASSIFICATION UNDER SECTION 33B (1) (A) (B) DOG CONTROL ACT 1996

File Number:

Report Author: Animal Management Officer

Report Authoriser: Group Manager of Economic Development and Regulatory Services

Appendices:

1. Appendix A - Victim A Statement
2. Appendix B - Victim A Injury
3. Appendix C - Warning Letter
4. Appendix D - Victim B Statement
5. Appendix E - Victim B Injury
6. Appendix F - Dog Owner Statement
7. Appendix G - Classification Report
8. Appendix H - Classification Letter
9. Appendix I - Letter of Objection to Classification

1. REPORT PURPOSE

- 1.1. This report seeks the Hearing Panel's consideration and decision on the objection lodged by [REDACTED] against the classification of her dog, [REDACTED] as a menacing dog under section 33A (2) of the Dog Control Act 1996 (the Act).

2. EXECUTIVE SUMMARY

- 2.1. On 1 April 2024 Council received a letter of complaint from [REDACTED] advising that, on the 16 March 2024 their son [REDACTED], had been frightened by a dog on the footpath on [REDACTED]. [REDACTED] sustained a graze on his leg caused by the dog [REDACTED] attempting to bite him. A statement was provided by the victim outlining the incident. See Appendix A.
- 2.2. The dog is described as brown 3-year-old, male Rhodesian Ridgeback named [REDACTED]. This dog is currently registered and has been desexed.
- 2.3. Council was provided with a photograph of [REDACTED]. See Appendix B.
- 2.4. On 4 April 2024 Council issued a warning letter to the dog owner following the above incident. The warning letter advised that should there be a further incident the dog may be classified. See Appendix C.
- 2.5. On 22 August 2025 at 12:45pm, a call came through to Council regarding a dog attack on [REDACTED].
- 2.6. Animal Control arrived at the victim's house at 12:58pm on 22 August 2025. Animal Control took a statement from the victim. See Appendix D.
- 2.7. Animal Control took photo of the bite mark. See Appendix E.
- 2.8. Animal Control then spoke to owner of the dog and requested the owner to provide a statement. [REDACTED] then provided a statement. See Appendix F.
- 2.9. Following this incident, Animal Control staff then prepared a report and recommendation that the dog [REDACTED] be classified. See Appendix G.

2.10. On 9 October 2025 the dog's owner was notified that the dog [REDACTED] was classified as a menacing dog under section 33A (2) of the Dog Control Act 1996 (the Act). Appendix H.

2.11. The dog owner appealed the classification on 6 November 2025. See Appendix I.

3. OFFICER RECOMMENDATION

That the Animal Control Committee:

1. The Committee receive the report and,
2. In accordance with section 33B (2) of the Dog Control Act 1996 (committee) in considering the objection under subsection (1) may **uphold** or **rescind** the classification.
3. The committee 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 matter relied on in support of the objection; and
 - (d) Any other relevant matters.

4. CONCLUSION

- 4.1. Animal Management believe that this dog is a threat to any person, stock, poultry, domestic animal, or protected wildlife because of observed or reported behaviour of the dog in accordance with section 33A(1)(B)(I) of the Dog Control Act 1996.

5. CONSIDERATIONS

5.1. Legal and Legislative Implications.

5.2. Potential to prosecute:

- 5.2.1. There is sufficient evidence for prosecution of the owner of the dog under the Dog Control Act Section 57.
- 5.2.2. The public interest in a prosecution is negligible.
- 5.2.3. Witness statement, photographic records of injuries are held on file.

5.3. **Financial**

- 5.3.1. All associated costs are within exiting budgets.

5.4. **Existing Policy and Strategy Implications**

- 5.4.1. This decision is consistent with existing Council policies.

5.5. **Fit with Purpose of Local Government Statement**

- 5.5.1. This decision helps promote the social purpose of the Local Government Act.

5.6. **Effects on Mana whenua**

- 5.6.1. No effects occur as a result of this decision.

5.7. Significance and Engagement

5.7.1. The matter does not require public consultation.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Low	Members of the public are unlikely to be interested in Council decisions.
Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	No	No assets involved in this decision
Does the decision create a substantial change in the level of service provided by Council?	No	No changes to levels of service.
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	The activity is within existing budgets.
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	Not related to CCO or CCTO.
Does the proposal or decision involve entry into a private sector partnership or contract to carry out the delivery on any Council group of activities?	No	N/A
Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	N/A

6. NEXT STEPS

- 6.1. Following the decision to classify the dog as Menacing, the Councils Animal Management Officer will supply the dog owner with the correct information moving forward.
- 6.2. This dog is registered to [REDACTED] but [REDACTED] son has a big part in taking care of [REDACTED] and staff would like to make sure [REDACTED] is aware of the requirements of the classification.

Confirmation of Statutory Compliance

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

- (a) This report contains:
- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
 - (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.
- (b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Appendix A

Statement from [REDACTED] taken on 1 April 2024

On Saturday 16th March [REDACTED] were going scootering; when me and [REDACTED] got bored of waiting for Dad and Mum who weren't scootering, to walk and catch up, so we went ahead and eventually my brother got scared and waited for my parents to catch up. But I kept on going on a loop back to my [REDACTED] house. About 20 minutes before I would have arrived, I came along a man with his two dogs on [REDACTED]. One dog seemed to have escaped hence why the man came out of the gate with his other dog following. The one that seems to have escaped came over to me and started barking at me, when the man told me don't worry he won't bite, while proceeding to call back the dog. So I got on my scooter and slowly started going past, when the dog came really close to me and began to bark more aggressively before trying to go in and bite me. I did not have enough time to get off my scooter to defend myself. But luckily I had thick pants and the dog seemed to reconsider biting me before scraping my leg (with his teeth in a biting motion). Then he barked at me again for a moment and started retreating back towards his gate, then the man locked the dogs in his property and came to see if I was okay. He apologised to me and asked to see the wound. I showed him and then he didn't seem so worried. I said I would go back to my home then he said bye and I started scootering back and told my [REDACTED] that we were home at my [REDACTED] because my Mum, Dad and Brother weren't back yet. We then waited about 10-15 minutes before losing patience and going to find my parents and my brother. So my [REDACTED] who was over from England at the time on holiday as well, hopped into the car, with my parents location unbeknownst, we failed to find them so we went back to [REDACTED]. My [REDACTED] discussed what we should do before calling my parents and they told us where they were. (After the call we realised they were near where the dog's home was). We then waited another 5 minutes and was wondering what was taking them so long, so I went to a high point at the end of the road to see where they were and couldn't see them, so I waited another 5 minutes and did the same. The second time I found my parents and told them what had happened. We went back to [REDACTED] and cleaned my wound, put ice on it and we put some amica cream on it. Me, my Mum and Dad went to look at the dog's property, once we were there we decided to contact the council.

The property was just about 30 seconds walking after a [REDACTED]

Appendix B

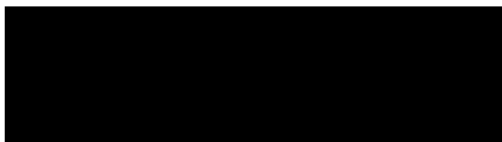
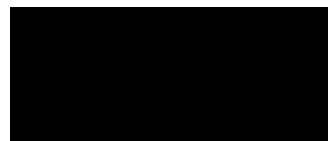




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4th April 2024

Council person for contact:
Department:
Contact ph:
Contact email:



Dear Sir,

On Wednesday 20th March 2024 Animal Control Officers (ACOs) received reports that your dog, a Male Rhodesian Ridgeback, had rushed out from the back of your property on [REDACTED] and bite a young [REDACTED] who was scootering along the footpath. The witness reported that your dog was not under control at the time and that you had difficulty calling the dog back.

The incident caused the young boy to have some scratch marks on his leg and bruising. He also said that the dog was very aggressive towards him and he was very frightened. We understand that the issue is when your back gate is open so in the future for safety of the community council asks if you could please make sure when you have your back gate open you have your dogs secured.

We do not seek to classify your dog at this time but please be aware that we may escalate should our requests and advice not be followed or if further incidents occur.

Yours sincerely,

[REDACTED]
Animal Control Officer
Grey District Council

Appendix C

Appendix D

22 8 25

12:58pm -

[REDACTED]

around 12:40pm [REDACTED] was walking along the foot path. He noticed [REDACTED] was doing something with his truck. the truck was parked on the roadside of the driveway [REDACTED] was inside truck. [REDACTED] opened truck door. Dog rushed out barking. [REDACTED] called for dog [REDACTED] circled around [REDACTED] and bite him on the thigh. [REDACTED] told [REDACTED] had just bite him. [REDACTED] carried on to the neighbor place on way back home [REDACTED] said sorry.

[REDACTED]

Appendix E



Appendix F

[EXTERNAL EMAIL] This email is from an external source, be careful with any links, attachments and payment requests.

To whom it may concern:

I pulled up with a trailer load of firewood on [REDACTED] outside my [REDACTED] house had a quick look on the footpaths to see if there were any people then let my dog out to put him in the gate so I could unhook my trailer. As we went down the driveway [REDACTED] came out from behind a bush on his property [REDACTED] being a good guard dog barked at him [REDACTED] kept walking towards him [REDACTED] kept barking and nipped him on the butt, I was calling out no [REDACTED] as this happened [REDACTED] walked up the street a bit and turned back and walked back into his house. As he did I apologized and put [REDACTED] on the property. [REDACTED] never viciously attacked anyone hes just a protective dog its in there breed very loyal dogs im glad ive got him as in the past ive looked out the window and there's been people in my back yard watching me ive chased them down the street have a dog gives a bit of security. Ive built fences on the property to keep them in which work most the time. My mother and myself have noticed [REDACTED] tirs him up a bit. It guts me a bit he went to you guys wish he just accepted my apology instead of causing all this drama. I understand i could get a fine over this which im not happy about as i dont have much money and would be happy to do some work instead. And im happy for you to come visit bazi to sus his temperament.

Regards,

Appendix G

Incident Report: Dog Unsecured and attacked person

Date of Incident: 22nd August 2025

Location of Incident: [REDACTED]

Report Prepared by: [REDACTED]

Date of Report: 18th September 2025

Summary of Incident:

On 22nd August 2025, [REDACTED] was observed existing his owner's vehicle which was parked on the driveway which is located at the back of [REDACTED] next door to [REDACTED]. [REDACTED] had gotten out of his truck and [REDACTED] followed. [REDACTED] (victim) was walking along footpath when [REDACTED] approached him and bite him.

The owner of the dog was on site at the time, and an investigation was initiated. The dog Has a previous history which will be factored into the outcome.

Details of the Incident:

On 22nd August 2025 at 12:40pm, [REDACTED] was observed existing his owner's vehicle which was parked on the driveway which is located at the back of [REDACTED] next door to [REDACTED]. [REDACTED] owner [REDACTED] had gotten out of his truck and [REDACTED] followed. [REDACTED] (victim) was walking along the foot path on [REDACTED]. [REDACTED] opened his vehicle door and [REDACTED] rushed out towards [REDACTED]. [REDACTED] circled around [REDACTED] and then latched onto his thigh. [REDACTED] called [REDACTED] back and [REDACTED] told [REDACTED] that [REDACTED] had just bitten him, [REDACTED] apologized, and [REDACTED] carried on his walk.

Once [REDACTED] was home, [REDACTED] contacted Animal control.

Investigation and Findings:

Upon investigation, statement and photos where taken by GDC AMO at 12:58pm on the 22/8/2025 at the address of [REDACTED] where the victim resides.

AMO then followed up by talking to the owner of the dog and making sure he had the dog secured in which he did. AMO pasted on their card and requested a statement from them as well. Statement was provided by owner of dog via email on the 24/8/2025.

Statement provided from both parties painted two slightly different stories.

Action Taken:

1. **Final Warning Letter Issued:**

On 4th April 2024 – letter was issued regarding [REDACTED] Showing aggression to a member of the public whilst unsecured and off property.

2. **Classification – Menacing:** Due to Final warning letter previously been issued I feel that Classification is the correct way to move forward.

Conclusion:

The dog in question has previously been issued with a notice and has now bitten an individual. Given this incident, the dog should be classified as menacing due to its demonstrated aggressive behaviour.

Report Filed by:

[REDACTED]

Appendix H

9th October 2025

Grey District Council,
Notice of classification of dog as menacing dog

Section 33A, Dog Control Act 1996

To: [REDACTED]

Address: [REDACTED]

Dog Known as: [REDACTED] Registration year 25/26, Registration tag number [REDACTED]
 Colour, Tan, Breed - Rhodesian Ridgeback, Age - 3 years - MALE - Desexed.

Incidents:

- 1. April 1st, 2024, [REDACTED] was identified as leaving his property and approaching a child who was on his scooter. [REDACTED] barked aggressively and attempted to bite the child and manage to scratch the child's leg with his teeth. Statements and photos were provided. Warning letter was issued for this incident.
- 2. On August 22nd 2025, [REDACTED] was seen unsecured on footpath outside his address on [REDACTED]. [REDACTED] approached a member of the public and circled him, then latched onto his leg, unprovoked. Statements and photos were provided.

This is to notify you that this dog has been classified as a menacing dog under section 33A(2) of the Dog Control Act 1996.

This is because the Grey District Council considers your dog may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife, because of reported behaviour of the dog.

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

[REDACTED]
Signature of officer of Grey District Council

9-10-25

Date

Heart of the West Coast

*Effect of classification as menacing dog***Sections 33E, 33F, and 36A, Dog Control Act 1996**

You—

- (a) must 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; and
- (b) must, if required by the Grey District Council, produce to the Grey District Council, within 1 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 specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
- (c) where a certificate under paragraph (b)(ii) is produced to the Grey District Council, produce to the Grey District Council, within 1 month after the date specified in that certificate, 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 all of the matters in paragraphs (a) to (c) above.

A dog control officer or dog ranger may seize and remove the dog from you if you fail to comply with all of the matters in paragraphs (a) to (c) above. The officer or ranger may keep the dog until you demonstrate that you are willing to comply with paragraphs (a) to (c).

As from 1 July 2006, 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 the Grey District Council in accordance with the reasonable instructions of the Grey District 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 from 1 July 2006 if your dog is classified as menacing on or after 1 December 2003 but before 1 July 2006; or
- within 2 months after the dog is classified as menacing if your dog is classified as menacing after 1 July 2006.

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 the classification of a dog as menacing 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 the Grey District 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 your objection and will be notified of the time and place at which your objection will be heard.

Appendix I

GREY DISTRICT COUNCIL
6 NOV 2025

6/11/2025

To Grey District Council

I am the legal dog owner of [REDACTED] Animal ID number [REDACTED] Tan colour, Breed = Rhodesian Ridgeback age 3 year male desexed.

I am very sorry I was late sending this letter. I was stressed and busy with other situations.

I object to the classification of my dog [REDACTED] being classed as a menacing dog.

I have two dogs the other one is [REDACTED] mother she is a good dog.

I would like to have a meeting about the situation please

Regards [REDACTED]