

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

Date: Thursday 14 March 2024

Time: 3:00pm

Venue: Council Chambers, 105 Tainui Street, Greymouth

AGENDA

Members:

Chair: Councillor John Canning

Deputy Chair:

Members: Councillor Jack O'Connor
Councillor Kate Kennedy

(Quorum 2 members)

Contact Telephone: 03 7698600

Email: trish.jellyman@greydc.govt.nz

Website: <https://www.greydc.govt.nz/our-council/agendas-and-minutes/Pages/default.aspx>

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 John Canning Member: Cr Kate Kennedy Member: Cr Jack O'Connor
Quorum	Two members (2)
Meeting frequency	As and when required.
Terms of Reference	<ul style="list-style-type: none"> To hear and determine appeals to classifications of dogs. To determine cases of dog destruction as per Council policy.
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 Support

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

Nil

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 A MENACING DOG CLASSIFICATION, SECTION 33B (1) (A) (B) DOG CONTROL ACT 1996

File Number: I / ES

Report Author: Environmental Planning Manager

Report Authoriser: Group Manager Support

Appendices:

1. Appendix A - Victim Statement - Redacted
2. Appendix B - Photo of Deceased Chicken
3. Appendix C- Screenshot of Roaming Dog - Redacted
4. Appendix D - Map of Property -Redacted
5. Appendix E - Animal Management Officer Report - Redacted
6. Appendix F- Dog Owners Objection Letter - Redacted
7. Appendix G - Classification Letter - Redacted
8. Appendix H- PNCC Job Details - Redacted
9. Appendix 1- Owner Correspondence Letter (Lawyer) Redacted

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. A complaint was received on Wednesday 29th November 2023 07:43am. Police requested Animal Control's attendance on behalf of the dog owner.
- 2.2. The complainant states a dog has gone onto the property of either [REDACTED] Road, however the owner is unable to retrieve it as all the neighbours have been trespassed from both [REDACTED] Road.
- 2.3. At this time Animal Control were unable to attend, communication via text message were sent to [REDACTED] explaining that we could not attend.
- 2.4. [REDACTED] called at 11:11am to let us know that [REDACTED] had been on her property for about 3 hours and in that time had killed 25 Baby chickens and five adult chickens. The ones that survived were frightened and secured themselves up trees for safety. Animal Control staff asked [REDACTED] if she knew where [REDACTED] was now, and she said once she caught [REDACTED], she called the police, and they told her to drop the dog back to [REDACTED].
- 2.5. Animal Control staff then asked [REDACTED] if she could please write up a statement in her own words of what happened from when she first noticed the attack happening to when she dropped [REDACTED], back to [REDACTED]. This was provided to Council accompanied by a photo of one of the Chickens. Included Appendix A is [REDACTED] Statement and Appendix B is photo of one of her chickens that had been attacked and killed.
- 2.6. Council received contact from [REDACTED] and [REDACTED] on the 29th of November 2023, who are the property owners of [REDACTED] as they saw on their CCTV footage [REDACTED], on their property early that morning and had heard what had happened. Council requested if they could please provide us with the CCTV footage, which they did send through on 1st December 2023. Screen shots taken from footage, included as Appendix C.

- 2.7. Under Section 57 of the dog control act 1996, Dogs attacking person or animals (1) A person may, for the purpose of stopping an attack, seize or destroy a dog if- (b) the person witnessed the dog attacking any person, or stock, poultry, domestic animal, or protected wildlife.
- 2.8. After reviewing the footage and reading the statements and photos provided, and due to the extent of the attack the decision was made to classify [REDACTED] as Menacing Under Section 33A (2) of the Dog Control Act 1996.
- 2.9. On 14th December 2023 Council sent the classification letter via mail to [REDACTED] home address.
- 2.10. The objection to the classification was received on the 22nd of December 2023. This is within the required timeframe legislated by the Act.
- 2.11. I have included a map of all three property's Appendix D
- 2.12. I have also included my Animal Control report Appendix E

3. OFFICER RECOMMENDATION

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. The dog described as Tan with a black snout is a 1-year-old, Male Boxer named [REDACTED] This dog is currently un-registered and has never been registered under his current owner's name.
- 4.2. 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. CONSIDERATION

- 5.1. **Legal and Legislative Implications**
- 5.2. Potential to prosecute:
- 5.3. There is evidential sufficiency for prosecution of the owner of the dog under the Dog Control Act Section 57.
- 5.4. The public interest in a prosecution is negligible.
- 5.5. Witness statement, photographic records of injuries and security video camera footage of the dog wondering are held on file.
- 5.6. The owner of the chickens has suffered loss of multiple pets. The owner of the dog is not taking responsibility for her dog's actions.

5.7. Financial

5.7.1. All associated costs are within existing budgets.

5.8. Existing Policy and Strategy Implications

5.8.1. This decision is consistent with existing Council policies.

5.9. Fit with Purpose of Local Government Statement

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

5.10. Effects on Mana whenua

5.10.1. No effects occur as a result of this decision.

5.11. Significance and Engagement

5.11.1. 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 deliver 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

5.12. Community Wellbeing's and Outcomes

5.12.1. The community will be satisfied that there are consequences for both dog and owners.

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. We have been told that Bomber has been re-homed so we will need all correct information of his new address and owners.

Confirmation of Statutory Compliance

<p>Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).</p> <p>(a) This report contains:</p> <ol style="list-style-type: none"> (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. <p>(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.</p>

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Appendix A

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

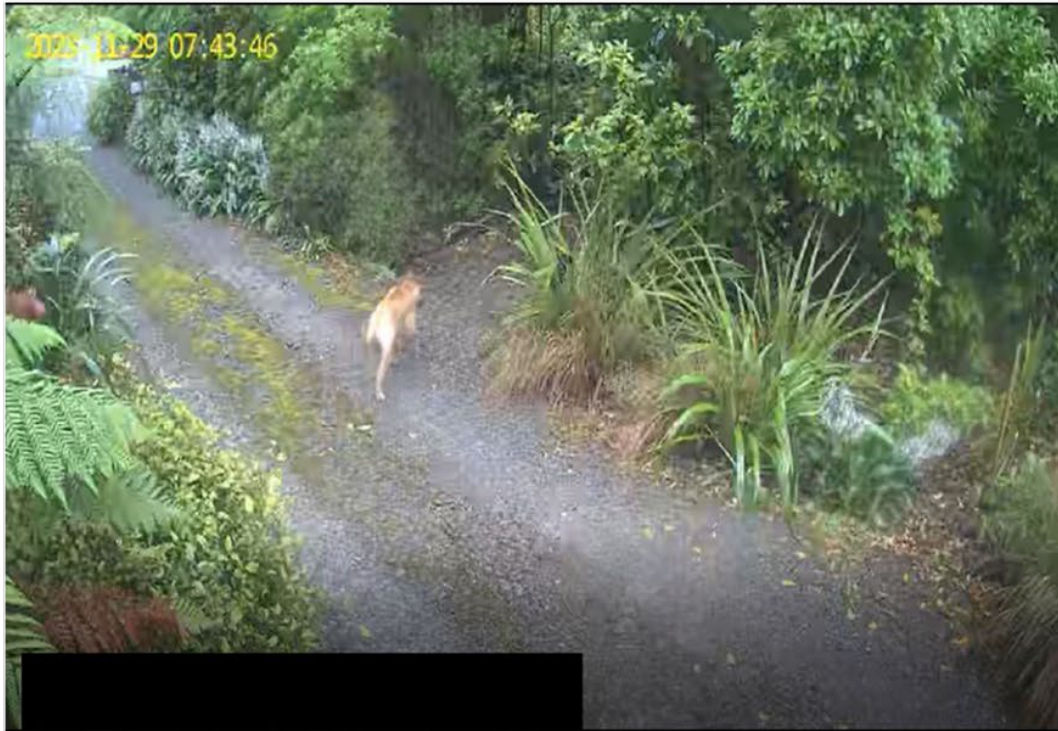
I am writing this statement to explain what happened at [REDACTED] between the hours of 7 and 10 am on Wednesday 29th November. I had just got up when my dog barked but I didn't hear anything at that point but shortly afterwards I heard a dog snuffling outside my bedroom window and looked out to see [REDACTED] dog, with a chicken in his mouth killing it, ran outside to see total havoc, my rooster was dead and I don't know how many adult chickens missing. I couldn't catch him for an hour and in that time I saw and heard him killing at least 25 baby chickens, there are now at least 5 other adult chickens missing and some piles of chewed up chicken, the ones that survived were up the trees, I have 4 hectares so it's a big space at this luscious time of year to find dead bodies and proof, [REDACTED] footprints are everywhere over a 2 hectare space. He has never come onto my property before but he has been chasing and killing my chickens at my neighbours property since July, they have him on their security camera! they run a [REDACTED] and some of the guests have been horrified by [REDACTED] chasing and killing chickens in front of them I didn't report him straight away because I thought he was young dog and deserved a chance but he's got a definite taste for killing now and an owner who has refused to put up adequate fence up till now. [REDACTED] is not easy to deal with, abusive, aggressive and lies and is on diversion for assaulting my next door neighbour over another dog matter, I'm nearly 65 and felt somewhat nervous to approach her but it's gone far enough. I don't know if [REDACTED] can be rehomed but I would like to see him not live next door to me

[REDACTED]

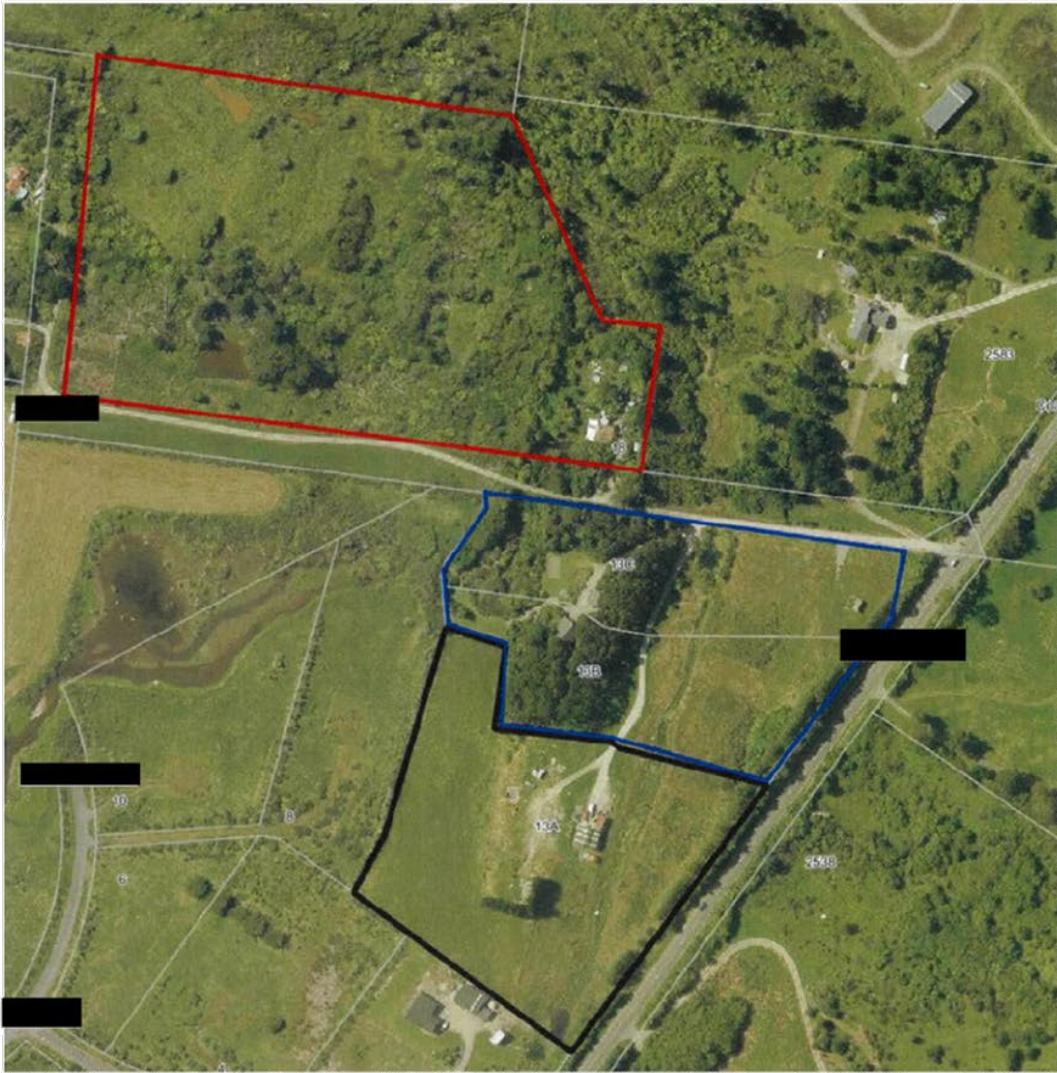
Appendix B



Appendix C



Appendix D



Property outlined in Red is [REDACTED]
[REDACTED]

Property outlined in Blue is [REDACTED]
property, [REDACTED]

Property outlined in Black is [REDACTED]
[REDACTED]

SUBJECT: Objection to Classification of Dog [REDACTED] as Menacing

TO: Hearing Panel

FROM: [REDACTED], Animal Management Officer

DATE: 08 March 2024

FILE: [REDACTED]

1. EXECUTIVE SUMMARY

- 1.1. A complaint was received on Wednesday 29th November 2023 07:43am. Police requested animal control's attendance on behalf of the dog owner.
- 1.2. The complainant states a dog has gone onto the property of either [REDACTED], however the owner is unable to retrieve it as the complainant has been trespassed from both [REDACTED] property's.
- 1.3. At this time Animal Control were unable to attend, communication via text message were sent to [REDACTED] explaining that we could not attend.
- 1.4. [REDACTED] from [REDACTED], [REDACTED] called at 11:11am to let us know that [REDACTED] had been on her property for about 3 hours and in that time had killed 25 Baby chickens and 5 adult chickens. The ones that survived were frightened and secured themselves up trees for safety. We asked [REDACTED] if she knew where [REDACTED] was now, and she said once she caught [REDACTED], she called the police, and they told her to drop the dog back to [REDACTED].
- 1.5. We then asked [REDACTED] if she could please write up a statement in her own words of what happened from when she first noticed the attack happening to when she dropped [REDACTED], back to [REDACTED]. This was provided to council accompanied by a photo of one of the Chickens. Included Appendix A is [REDACTED] Statement and Appendix B is photo of one of her chickens that had been attacked and killed.
- 1.6. Council received contact [REDACTED] on the 29th of November 2023, who are the property owners of [REDACTED], [REDACTED] as they saw on their CCTV footage [REDACTED], on their property early that morning and had heard what had happened. Council requested if they could please provide us with the CCTV footage, which they did send through on 1st December 2023. Screen shots taken from footage, included as Appendix C
- 1.7. Under Section 57 of the dog control act 1996, Dogs attacking person or animals, (1) A person may, for the purpose of stopping an attack, seize or destroy a dog if- (b) the person witnessed the dog attacking any person, or stock, poultry, domestic animal, or protected wildlife.
- 1.8. After reviewing the footage and reading the statements and photos provided, and due to the extent of the attack the decision was made to classify Bomber as Menacing Under Section 33A (2) of the Dog Control Act 1996.
- 1.9. On 14th December 2023 Council sent the classification letter via mail to [REDACTED] home address.
- 1.10. The objection to the classification was received on the 22nd of December 2023.
- 1.11. I have included a map of all three property's Appendix D

2. THE INCIDENT

- 2.1. On 29 November 2023 at 7:43 am Animal Control received a call from the Police through our call centre requesting us to attend a roaming dog.
- 2.2. The information that we received was, [REDACTED] from [REDACTED] has called the Police to help retrieve her dog. She explained that she was down the back of her property with him when he touched the electric fence and got a shock from it which made him run off her property and onto the neighbour's property and wanted assistance retrieving him from there.
- 2.3. Council animal control after hours is for emergencies only, I decide to deal with this in my normal work hours.
- 2.4. Once I got to work at 8:30am I spoke to Regulatory Manager [REDACTED] about the incident. At the time we didn't have the resources to attend this roaming dog report but also as the owner of the dog new where the dog was the decision was made not to attend.
- 2.5. At 9:34am I sent [REDACTED] a text message communicating with her that we did not have the resources at the time to attend but if she was really concerned to contact the police as they can assist.
- 2.6. At 10.08am [REDACTED] message back saying that "He's been chasing the neighbour's chickens. I can't win!!"
- 2.7. At 11:11am we received a call the Councils customer service team from [REDACTED] from [REDACTED]. Explaining that her neighbour's dog had come onto her property between the hours of 7am and 10am and had killed 25 Baby chickens and 4 Mother hens. I asked [REDACTED] if she had secured the dog and she said she did, but she rung the police and they told her to return the dog back to its owner ([REDACTED]) which she did. I asked if I could come out to take photos of the deceased chickens but by this time she had cleaned most of them up. I asked her to "in her own words" write a statement of what happened from the moment she noticed the attack to when she dropped the dog [REDACTED] back to his owner and provide any photos if she could.
- 2.8. I then received contact from [REDACTED] who are the property owners of [REDACTED] as they saw on their CCTV footage [REDACTED] on their property early that morning and had heard what had happened. Council requested if they could please provide us with the CCTV footage.
- 2.9. 30th November 2023 a Snap send solve was sent through to Council from [REDACTED] with a description of what had happened the day before and also a photo of one of her dead chickens. She also provided a statement.
- 2.10. While I was investigating further the incident, I noticed that under [REDACTED] address there were no dogs registered. At 11:20am on the 30th of November 2023 I sent a text message to [REDACTED] asking if she could please provide [REDACTED] registration and micro-chip details. [REDACTED] messaged me back at 4:28pm asking me to provide an email address for correspondence to be sent to as she would like to send a letter outlining her position as she was very concerned about the situation with her puppy. I sent through my work email address; she responded asking if it needs to go to my supervisor in which I responded with the Regulatory Managers email address. I got a thumbs up emoji back.
- 2.11. 1st of December 2023 CCTV footage had been sent via email from [REDACTED] and [REDACTED] which once we reviewed it, you could clearly see [REDACTED] roaming at 7:43am on the 29th of November 2023.

- 2.12. On 29th November 2023 Council received a letter addressed to Regulatory manager [REDACTED] from [REDACTED] Lawyer stating what had happened on the 29th of November 2023 and also informing us what steps she is taking to make sure this does not happen again.
- 2.13. After reviewing the CCTV footage and also the statements provided by [REDACTED] and [REDACTED] Lawyer both [REDACTED] and [REDACTED] had come to a decision that classifying [REDACTED] as Menacing was the correct way to move forward. This was based on the extent of the attack and that we believed that there is a risk that this could occur again.
- 2.14. 13th of December the council sent out a letter which included 2 infringements. 1 was for registration under section 42 of the Dog Control Act 1996 – Failure to register dog. And the 2nd one was for Unsecured dog under Section 52a of the Dog Control act 1996.
- 2.15. 14th December the council issued a letter informing [REDACTED] that Council was classify [REDACTED] as Menacing under Section 33a(2) of the Dog Control Act 1996.
- 2.16. Council received an objection to the classification from [REDACTED] on the 22nd Of December 2023.

3. PREVIOUS INCIDENT

- 3.1. 28th of October 2023 - Call out from police to assist with a dog being on a property that the owner is trespassed from. Attended and meet [REDACTED] on [REDACTED] outside the driveway entrance of [REDACTED]. She could not secure [REDACTED], so I have caught him and put him in the Animal Management truck and took back to [REDACTED] property. We had a chat about how she had removed her boundary fence and that how this was the main issue of [REDACTED] getting out. She said she has been in touch with her lawyer and has started the process with getting a survey carried out to find her property boundary. When this is done, she intends to then book contractors to fence her property, In the meantime, I suggested that she gets a long line and when [REDACTED] is outside connect him to that so he is free to do what he needs to do and she won't have to stress about him leaving her property.
- 3.2. When leaving I spoke with [REDACTED] while he was cutting trees down the paper road. I had a chat to him regarding the issue from his response I concluded that this appears to be a "neighbours at war" situation.
- 3.3. 10th of November 2023 - [REDACTED] called and requested assistance as bomber was back on their property, upon arrival I witnessed [REDACTED] trying to call [REDACTED] but he would not come so she asked if I could please secure him in my vehicle in which I did and meet her back at her property. We had a chat about her fencing issue I also asked about the long lone I recommended last time we spoke which she said she had been using but it was becoming a problem, so she stopped.

4. WITNESSES

- 4.1. [REDACTED] witnessed herself when she looked out her window to see [REDACTED] with one of her chickens in his mouth.
- 4.2. CCTV footage provided to us from [REDACTED] wondering off his property at 7:44am on the 29th of December 2023.
- 4.3. The initial call from [REDACTED] owner [REDACTED] at 7:40am on the 29th of November 2023, which she also stated later that day via text message that [REDACTED] had been chasing the neighbours chickens.

22 December 2023

Grey District Council
PO Box 382
GREYMOUTH

By email: info@greydc.govt.nz

Dear Officer of Grey District Council,

NOTICE OF CLASSIFICATION OF DOG AS MENACING DOG

- 1 I am writing in response to the notice I received: classification of dog as menacing dog.
- 2 I sent an email on the 18 December 2023, questioning the validity of two dog infringement notices I received. I am yet to receive a response back on this matter.
- 3 From my basic understanding, an infringement notice must be accurately correct for it to be enforceable. A speeding fine infringement must be precise with time of incident, dates, car registration etc. for it to be enforceable.
- 4 I believe your dog infringement notices [REDACTED] were invalid as the details were not precise, therefore, not enforceable. With no response received from the Grey District Council I am unclear as to what your position is on this matter.
- 5 I have sent a follow up email as I wish to appeal infringement notices [REDACTED]
- 6 The latest notice appears to be in retaliation to the email I sent questioning the Grey District Councils validity of infringement notices [REDACTED]
- 7 The latest notice I received refers to 'the dog' as 'Tan and Black male - [REDACTED]
- 8 This letter is my formal written notice (*under Section 33B, Dog Control Act 1996*).
- 9 I am objecting to the Notice of classification of dog as menacing dog, on the grounds of:
 - I. Description of dog colouring. That is **not** the dog.
 - II. Description of the dog breed. That is **not** the dog.
 - III. Property address is invalid based on Grey District Councils own internal systems. That is **not** my address.
 - IV. The dog has been rehomed.
 - V. The Grey District Council has not acted in an impartial manner.

Yours sincerely,

[REDACTED]



14th December 2023

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] young Tan and Black male- Breed: Boxer Cross

We have Classified [Redacted] after the incident that happened between the hours of 7am and 10am on the 29th of November 2023 which resulted in several chickens getting killed.

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.



14-12-23
 Date

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

Heart of the West Coast

- (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.

New RFS 1428375 Form: Animal Complaint

KnowledgeBase [REDACTED]

Wed 11/29/2023 7:48 AM

To: GDC Info <info@greydc.govt.nz> [REDACTED]

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

Hi,

A new RFS 1428375 has been added with the following details:

Customer Details:

Customer: Police Communications (PLEASE USE)

CustomerAddress: (Unknown)

Home Phone: [REDACTED]

Cell Phone: (Unknown)

Work Phone: (Unknown)

Job Details:

Problem: Roaming Dog

Issue Location: [REDACTED]

Animal Type: Dog

Description of Animal: Unknown

Tag No. If Known: Unknown

No. Of Stock (if applicable):

RFS Started: 29-Nov-2023 7:43

Call In: [REDACTED]

Duty Officer Contacted: Spoke to Officer

Name/Number: [REDACTED]

Police Event Number: [REDACTED]

Details: [REDACTED] from Police Communications has called to request Animal Control's attendance, on behalf of a local unit -- a dog has gone onto the property of either [REDACTED] however the owner is unable to retrieve it as all neighbours have been trespassed from the property (which is also contained by an electric fence).

The informant is [REDACTED], please can she be called back before attendance to provide further context. Event: [REDACTED] Thanks!

Referred By: [REDACTED]

Thank you.



Duncan Cotterill Plaza
148 Victoria Street
Christchurch
PO Box 5
Christchurch | Ōtautahi 8140
New Zealand | Aotearoa
p +64 3 379 2430
f +64 3 379 7097
duncancotterill.com

1 December 2023

Animal Control
PO Box 382
Greymouth
7840

By email: info@greydc.govt.nz

Dear Sir/Madam

██████████ Incident at ██████████

- 1 We act for ██████████. We understand ██████████ dog ("the dog") was involved in an incident that occurred on 30 November 2023, which resulted in the death of some chickens that are owned by ██████████ neighbour, ██████████.
- 2 ██████████ is deeply sorry for the harm that has occurred and has asked us to assist with this matter in the hopes of promoting a positive outcome for all parties.

Background

- 3 ██████████ has an eleven-month-old dog. Since ██████████ property is not fully fenced, the dog is usually tied to a long lead outside on a fine day to prevent the dog from escaping of the property. The lead is also sufficiently long to allow the dog to come inside to sleep on its mat whilst still being kept on a secured lead.
- 4 On bad weather days, the dog is primarily kept inside. As ██████████ often works from home, she will take the dog out on the lead for toileting purposes as necessary throughout the day. On the days where ██████████ is working away from home, the dog attends daycare.
- 5 Occasionally, the dog manages to escape and will run onto the neighbouring property. ██████████ has a difficult relationship with her adjacent neighbour at ██████████ and there is presently a trespass order in place that prevents ██████████ from entering onto her neighbour's property. For this reason, ██████████ cannot easily retrieve the dog when it escapes onto the neighbour's property and is reliant on Animal Control to assist with retrieving the dog. It can take several hours before the dog is returned to ██████████.

The Incident

- 6 On the morning of the 30 November 2023, when toileting the dog, ██████████ led the dog (on its lead) to the rear of her property. The dog inadvertently touched the electric fence and received a fright that led him running off onto to the neighbouring property. ██████████ immediately contacted the Police, who subsequently contacted Animal Control.
- 7 ██████████ received a text message from Animal Control later that morning advising that due to a lack of resources they were unable to assist.
- 8 ██████████ made various unsuccessful attempts to call the dog back. By mid-morning, ██████████ returned the dog to ██████████ and informs her about the fatal incident involving her chickens.

Steps Taken

- 9 We would like to highlight to you the steps [REDACTED] is actively taking to ensure that her dog is more securely kept on her property:
- 9.1 Prior to the incident occurring, we had been asked to assist [REDACTED] with preparing a letter to her neighbour relating to a fencing proposal. The Fencing Act requires that neighbours give 21 days notice before commencing fence construction, and so realistically no fence will be able to be erected until the new year.
 - 9.2 This proposed fencing would secure [REDACTED] property and prevent the dog from escaping. Until the fence is built, and in the event the dog was to escape, we have also requested that [REDACTED] is permitted to enter the neighbour's property for the purposes of retrieving the dog.
 - 9.3 [REDACTED] has followed the advice of Animal Control by purchasing a retractable lead, and the dog is not let outside unless it is on the lead, and
 - 9.4 [REDACTED] places her dog in daycare when she is away at work.
- 10 [REDACTED] sincerely apologises for the harm inflicted by her dog and the impact this has had on [REDACTED]. The incident has also left [REDACTED] distressed and she is aware that there may be resulting consequences on her and/or the dog. Prior to taking any further action, we hope you can consider the steps [REDACTED] is actively taking to be a responsible dog owner and the remorse expressed by [REDACTED].

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

3 SUB-COMMITTEE RESUME IN OPEN MEETING

CLOSURE OR RATIFICATION OF DECISIONS IN OPEN MEETING