

Exemptions and Objections Sub Committee Agenda

Date: Tuesday, 30 July, 2024

Time: 9:30 am

Location: Civic Centre, Te Iwitihi, 9 Rust Avenue

Elected Members: Cr Ken Couper (Chairperson)
His Worship the Mayor Vince Cocurullo
Cr Deborah Harding
Cr Patrick Holmes
Cr Scott McKenzie

For any queries regarding this meeting please contact the Whangarei District Council on (09) 430-4200.

1. Declarations of Interest / Take Whaipānga	
2. Apologies / Kore Tae Mai	
3. Confirmation of Minutes of Previous Exemptions and Objections Committee Meeting / Whakatau Meneti	
3.1 Minutes Exemptions and Objections Sub-Committee Meeting 22 April 2024	5
4. Decision Reports / Whakatau Rīpoata	
4.1 Sandra and Robert Meyst objection to menacing classification	9
5. Public Excluded Business / Rāhui Tangata	
6. Closure of Meeting / Te katinga o te Hui	
<p>Recommendations contained in the agenda are not the decisions of the meeting.</p> <p>Please refer to minutes for resolutions.</p>	

Exemptions and Objections Committee - Terms of Reference

Membership

Chairperson	Councillor Ken Couper
Members	His Worship the Mayor Vince Cocurullo Councillors Deborah Harding, Patrick Holmes and Scott McKenzie
Quorum	3
Meetings	As required The relevant legislative requirements should be taken into account when setting meeting dates

Purpose

To hear and determine objections, appeals and applications in respect of the regulatory functions and responsibilities of Council.

Delegations

- Hear and decide s357, s357A and 357B objections under the Resource Management Act where staff recommend decline.
- Determine and grant of Territorial Authority consents under S100 of the Gambling Act 2003 (as it relates to Class 4 Gambling Venues) and s65C of the Racing Act 2003 (as it relates to Board Venues).
- Power to consider an objection under s33B in relation to classification as a menacing dog under s33A of the Dog Control Act 1996 or an objection under s33D in relation to classification as a menacing dog under s33C of the Dog Control Act 1996.
- Consider objections relating to the classification of a person disqualified from owning a dog under s26 of the Dog Control Act 1996.
- Power to consider an objection to classification as a menacing dog under s33A and s33C of the Dog Control Act 1996.
- Power to consider and determine an objection to any notice issued requiring abatement of a barking dog nuisance under s55 of the Dog Control Act 1996.
- To determine the outcome of a request for reconsideration made under sections 199A and 199B of the Local Government Act 2002 in accordance with Council's Development Contribution Policy (no ability to waiver).
- Hear and determine statutory appeals or objections in respect to any matter where no specific delegation applies.

Item 3.1
Exemptions and Objections Sub-committee Meeting Minutes

Date: Monday, 22 April, 2024
Time: 9:30 a.m.
Location: Civic Centre, Te Iwitahi, 9 Rust Avenue

In Attendance
 Cr Ken Couper (Chairperson)
 His Worship the Mayor Vince Cocurullo
 Cr Patrick Holmes

Not in Attendance
 Cr Deborah Harding
 Cr Scott McKenzie

Also present
 Reiner Mussle (Manager Health & Bylaws)
 Zane Kumar (Bylaw Enforcement Coordinator)
 Peter Banks (Manager, Animal Management, Armourguard)
 Christine Crawford (Executive Officer, Animal Management, Armourguard)

Scribe N. Pestana (Team Leader, Democracy)

1. Declarations of Interest / Take Whaipānga

No interests were declared.

2. Apologies / Kore Tae Mai

Cr Scott McKenzie and Cr Deb Harding

Moved By His Worship the Mayor

Seconded By Cr Patrick Holmes

That apologies be sustained.

Carried

3. Confirmation of Minutes of Previous Exemptions and Objections Committee Meeting / Whakatau Meneti

3.1 Minutes Exemptions and Objections Committee Meeting 7 March 2024

Moved By Cr Patrick Holmes

Seconded By Cr Ken Couper

That the minutes of the Exemption and Objections Sub-Committee meeting held on Thursday 7 March 2024, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

Carried

The committee adjourned at 9.49am to consider the objection.

4. Decision Reports / Whakatau Rīpoata

4.1 Donald Hedges objection to disqualification from dog ownership

Moved By Cr Ken Couper

Seconded By His Worship the Mayor

That the Exemptions and Objections Sub-committee consider the objection to disqualification as a dog owner by Donald Hedges

Carried

Procedural motion

Moved By Cr Patrick Holmes

Seconded By His Worship the Mayor

That the Exemptions and Objections Sub-committees decision on the objection to disqualification from dog ownership be reserved until such time as the Committee has considered the evidence and all relevant matters and the Committees decision be issued in due course.

Carried

Following deliberations, the Sub-Committee resolved:

Moved By Cr Ken Couper

Seconded By Cr Patrick Holmes

That the Committee confirms its decision of 4 April 2023 to uphold the disqualification from dog ownership imposed on Donald Hedges.

Carried

The full decision of the Committee and the reasons for its determinations has been issued separately.

5. Public Excluded Business / Rāhui Tangata

There was no business in public excluded.

6. Closure of Meeting / Te katinga o te Hui

The meeting concluded at 10.02am.

Confirmed this day of 2024

Cr Ken Couper (Chairperson)

4.1 Objection to Menacing Classification

Meeting: Exemptions and Objections Committee
Reporting officers: Reiner Mussle, Manager Health and Bylaws
 Zane Kumar, Bylaw Enforcement Co-Ordinator
Date of meeting: 30 July 2024

Time	Hearing	Name
9:30pm	Objection to Menacing Classification	Sandra and Robert Meyst

Hearing Procedure

Objection under the Dog Control Act 1996

- 1 The Chairperson opens the proceedings by introducing the committee and asks parties to introduce themselves and their witnesses.
- 2 Staff will briefly outline the objection.
- 3 The Council Officer's/contractor's report, which has been circulated prior to the hearing, is taken as read.
- 4 The objector presents his/her case including any supporting evidence from witnesses.
- 5 Council officers/contractors will speak on his/her report and is available to answer questions.
- 6 Only the objector is given the opportunity to have a right to reply. This gives him/her the chance to clarify matters raised in the Council officer's/contractor's report but not to present new evidence.
- 7 Final questions of clarification.
- 8 The Chairperson adjourns the hearing to deliberate on its decision based on the evidence submitted, following which the objector will be notified in writing of the decision.

A written decision will be issued as soon as practicable.

Report to Exemptions and Objections Committee

Introduction

The purpose of this hearing is to hear and determine the objection lodged by Sandra and Robert Meyst to the classification of their dog 'Billie' as menacing.

Background

Council issued Ms Meyst with a notice classifying 'Billie' as menacing on the 10 June 2024 (Appendix A). The notice was a consequence of 'Billie' being involved in an attack on another dog and a person outside the property where 'Billie' resides on 24/05/2024, and involvement in an attack on a dog and person on 17/03/2022.

Section 33A of the Dog Control Act 1996 ('the Act') states the foundations for classifying dogs as menacing:

33A Territorial authority may classify dog as menacing

(1)

This section applies to a dog that—

(a)

has not been classified as a dangerous dog under [section 31](#); but

(b)

a territorial authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of—

(i)

any observed or reported behaviour of the dog; or

(ii)

any characteristics typically associated with the dog's breed or type.

Section 33E of 'the Act' states the effects of classifying a dog as menacing

33E Effect of classification as menacing dog

(1)

If a dog is classified as a menacing dog under [section 33A](#) or [section 33C](#), the owner of the dog—

(a)

must not allow the 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)

must, if required by the territorial authority, within 1 month after receipt of notice of the classification, produce to the territorial authority a certificate issued by a veterinarian 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)

must, if a certificate under paragraph (b)(ii) is produced to the territorial authority, produce to the territorial authority, within 1 month after the date specified in that certificate, a further certificate under paragraph (b)(i).

Under section 33B of 'the Act', Ms Meyst had the right to object to that classification within 14 days of the date the notice was received. Ms Meyst submitted an objection via email to Zane Kumar the Bylaw Enforcement Coordinator of Council on 14/06/2024 (Appendix B) subsequently this was accepted by Council. This objection was submitted within the 14-day timeframe (as set out in s33B(1)(a) of the Act). Accordingly, the effects of the menacing classification remain in place until a decision by the Committee is made as to whether to uphold the decision or not.

Statutory Considerations

Section 33(B)(2) gives the power to the Committee to consider the objection, which may be **uphold or rescind** the menacing classification.

33B Objection to classification of dog under section 33A

(1)

If a dog is classified under [section 33A](#) as a menacing dog, the owner—

(a)

may, within 14 days of receiving notice of the classification, object in writing to the territorial authority in regard to the classification; and

(b)

has the right to be heard in support of the objection.

(2)

The territorial authority considering an objection under subsection (1) 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.

Assessment

The menacing classification of 'Billie' is based on two attacks. The first on a dog and person, the second on another dog and a person.

On 17/03/2022 (Appendix C) a member of the public was walking along Weaver Street when two dogs left their property and attacked the victim dog. Medical treatment was required at Kauri vets for minor injuries. The victim dog owner also suffered injuries to their fingers and back of the knee which did not require medical treatment. On this occasion the two attacking dogs (one of them being 'Billie') were in the care of Jessica the daughter of Ms Meyst. Both dogs were let off the property by a flatmate of Jessica and from the victim statement (Appendix C) both dogs proceeded to attack the victim dog. The victim dog suffered minor injuries resulting in vet treatment, and the victim owner suffered a minor injury to their finger which did not require medical treatment. While Jessica did not witness the attack her flatmate did. Unfortunately, the flatmate did not provide a statement. But Jessica acknowledged both of the dogs were involved in the attack on the victim dog and person.

While it was found there was enough evidence to support an attack under S57 of the Dog Control Act 1996, since both attacking dogs were registered and microchipped and the injuries minor, and also no prior history it was decided to not prosecute. Two infringements for failure to control and confine were issued to Jessica as the person in charge of both dogs at the time of the incident.

The second incident (Appendix D) occurred on the 02/11/2023 where a member of the public reported a dog wandering and fouling on their property. The dog was secured by the complainant and then collected by Animal Management scanned and returned to Ms Meyst. From what can be seen in our system Ms Meyst was spoken to and no infringement issued.

The third incident (Appendix E) occurred on 24/05/2024. The complainant was walking their dog on Titoki Place when they were attacked by two dogs that came from Ms Meyst's address. The officer investigating the complaint found that one dog belonged to the daughter Jessica, the other "Billie" to Ms Meyst. The victim dog owner reports they heard two dogs at Ms Meyst's address who rushed at the small steel gate and continued toward the victim and victim dog. The victim owner reports they saw the dogs grabbing and attacking the victim dog. The victim owner proceeded to hit and kick the attacking dogs in an effort to have them release the victim dog, and at this stage the victim owner reported one of the dogs bit them on the hand and caused them to fall over. The victim owner reports that the neighbours came out and offered help after seeing what happened, and the owner of the dogs (the person in charge Ms Meyst) went and got a first aid kit. Ms Meyst explained that one of the attacking dogs was owned by her daughter and the other "Billie" owned by her. The victim owner proceeded to the nearby ambulance station to seek help. They advised the victim owner to go to White Cross, due to the expected long wait the victim owner decided not to go. The victim owner later noticed a friend's dog licking the victim dog in certain areas, and upon cleaning those areas discovered puncture wounds. It was at this point the victim owner called Animal Management and sought vet treatment.

Ms Meyst also provided a statement in which she describes talking to her daughter and also how 'Billie' came into her care. Ms Meyst states that Jessica (the daughter) arrived to pick up her dog and were both standing on a porch on the inside of the house. Ms Meyst describes hearing barking from the front of the property, followed by Jessica running toward the source of the noise. Ms Meyst states that when she arrived at the scene her daughter had her dog by the collar and that her dog 'Billie' was lurking on the side close to her, she then yelled at 'Billie' to go inside, the dog complied, and Ms Meyst proceeded to offer first aid. Ms Meyst in her statement states she spoke with a neighbour who informed her that 'Billie' did not engage in the attack but watched it happen.

The statement from the daughter Jessica Meyst is similar to that of her mother Ms Meyst to start with. Jessica states that she remembers not closing the small gate and that she believed both dogs were in the house. She then states while she was talking she noticed the victim owner and victim dog walking past at which point Jessica saw her dog 'Ella' run through the small gate with Ms Meyst's dog 'Billie' following. Jessica states that her dog 'Ella' went straight to the victim dog and attacked. Jessica states that she arrived quickly and then grabbed her dog away. She states that 'Billie' was circling the incident and stood watching close by but did not engage in the attack. She also describes talking to the neighbour who was a witness. Both dogs were impounded as a result while the investigation took place

The investigating officer spoke to the witness neighbour over the phone who advised that they were busy but happy to make a statement over the phone. The witness advised they saw both dogs run out of the property of Ms Meyst, and then attack the victim dog which was being walked on lead by the victim owner. The witness's statement to the officer did not clarify exactly which dog attacked but it should be noted that from the file Jessica has admitted that only her dog bit the victim dog and owner.

While it was found there was enough evidence to support an attack under S57 of the Dog Control Act 1996, since both attacking dogs were registered and microchipped and the injuries minor, and the officer at the time thought there was no previous history, it was decided not to prosecute and instead issue Infringements for Failure to Control and Confine. This is why the file does not recommend classification for either dog, as the previous history was not known at this point. Later on, Animal Management discovered the history and the decision to classify both dogs in this incident 'Billie' and 'Ella' was made by the Bylaw Enforcement Coordinator based on the history and the circumstances of the recent incident.

Any steps taken by the owner to prevent further offences

Nothing in the files attached to this report nor in the objection letter submitted to Council evidences any steps taken by Ms Meyst to prevent further instances occurring.

Any other relevant matters

It is submitted to the Committee that 'Billie' has a history of two attacks which occurred in very similar circumstances, and in the first attack there is no doubt as to the fact that 'Billie' was the attacking dog. There are clearly unchanged behaviour issues associated with the dog as this is the second incident. Ms Meyst has gone to great lengths to portray what a loving and friendly dog Billie is, but he does seem to have aggression issues with other dogs and whilst in the company of dog 'Ella' these appear to be heightened. It is submitted to the Committee that Ms Meyst is largely in denial over what has happened and reluctant to accept full responsibility for her dogs' actions and behaviour.

Conclusion

Under section 33A of the Dog Control Act 1996, the Whangarei District Council may classify a dog as menacing if it considers it may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of any observed or reported behaviour of the dog.

It is submitted that there is enough evidence on file to classify 'Billie' as menacing as there is evidence of two attacks, both occurring in similar circumstances, and wandering. As stated above, there are clearly unchanged behavioural issues associated with the dog as this is the second incident, and also 'Billie' does seem to have aggression issues with other dogs and whilst in the company of dog 'Ella' these appear to be heightened.

It is submitted to the Committee that given the evidence outlined above and history of the dog, there is a clear risk to the public and other animals, and that this risk can be mitigated if it was decided to allow the menacing classification to remain in place.

Recommendation

That the Exemptions and Objections Committee hear the objection to the classification of 'Billie' as menacing.

Following deliberations:

That the Exemptions and Objections Committee determine whether the menacing classification is either **upheld** or **rescinded**.

Appendices

Appendix A: Notice of Classification

Appendix B: Letter of Objection

Appendix C: 17 March 2022 File

Appendix D: 02 November 2023 File

Appendix E: 24 May 2024 File

Appendix F: Email and letter confirming date and time of hearing



Forum North, Private Bag 9023
Whangarei 0148, New Zealand
P +64 9 430 4200
F +64 9 438 7632
E mailroom@wdc.govt.nz
www.wdc.govt.nz

In reply please quote:

Or ask for Peter Banks - Manager Animal Control

10 June 2024

Sandra Meyst



Dear Sandra

Notice of Classification of a Menacing Dog – Section 33A, Dog Control Act 1996

Dog ID:	72878	Primary Breed	Boxer Cross
Microchip No:	953010002897860	Primary Colour	Brown
Name:	Billie		
Sex:	M		
Age:	7 years		
Address where dog is usually kept: [REDACTED]			

This is to notify you* that the above mentioned dog has been classified as a menacing dog under section 33A of the Dog Control Act 1996.

This is because Whangarei District 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:

Billie escaped his address was involved in a attack alongside another dog Ella that took place in front of [REDACTED] on the 24th May 2024 which lead to another dog and dog owner being injured.

I hereby notify you that the dog described herein has been classified as a MENACING DOG with effect from the date of issue of this notice.

A summary of this classification and your right to object is provided on the reverse.

Please note:

- Your dog must now be muzzled when it is at large or in any public place or private way
- Your dog must be kept under control at all times

Yours faithfully

Zane Kumar
Bylaws Enforcement Co-ordinator

Yours faithfully

Peter Banks
Manager Animal Management

*For the purposes of the Dog Control Act 1996, you are the owner of a dog if:

- You own the dog; or
- You have the dog in your possession (otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, or damage, or distress, or for the sole purpose of restoring a lost dog to its owner); or
- You are the parent or guardian of a person under 16 who is the owner of the dog and who is a member of your household living with and dependent on you.

Served on the 13/6/24 at 11:57 to
Sandra's husband . RtmanA

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 Whangarei District Council, produce to the Whangarei District Council, within 1 month after receipt of this notice, a certificate issued by a veterinarian 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 Whangarei District Council, produce to the Whangarei 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 Whangarei District Council in accordance with the reasonable instructions of the Whangarei 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 Whangarei 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 B

14th June 2024

Kia Ora Peter Banks,

In regard to your notice delivered to my husband yesterday by Armourguard officer Clinton, describing our family dog Bill as a 'menacing dog', and which you have in writing, based on the incident of 24th May. We adamantly object to this classification based on the following grounds. We also ask you to provide written detailed evidence to your claim that Bill was 'involved in the attack of 24th May', or withdraw/change this statement for the purposes of legal accuracy. We acknowledge that according to the evidence, he was present at the attack, and we state clearly he was not 'involved in the attack'.

My family, neighbours, friends and I have not seen any evidence that Bill is an aggressive or menacing dog, including during the incident of the 24th May. He has not, during the five years since we adopted him as a starving stray dog, when he wandered onto our property and was easy to befriend, ever bitten another dog, animal or person. He does not growl, and if he barks at strangers who enter our property, he tends to run away afterwards. Usually he is in our house however. He is quite safe with our old cat, as witnessed by dog control officer Clinton yesterday, and tolerates him rubbing against him, not what I would expect from a 'menacing' dog. He has been neutered at our expense and has become a very loving, eager to please, quiet, timid dog, with a fear of men he doesn't know, and evidence of having been abused in the past. He has not, during his time with us, ever exhibited an aggressive nature; however he has been a target when out walking on the lead, of other dog's attacks and he has received puncture wounds from other dogs. He regularly spends half the week with my 87 year old father, whom he has bonded with, and who loves to take him for walks, and he also spends time occasionally with other members of the family, all of whom find him an affectionate, friendly, quiet dog. Bill has shown friendly behaviour to other dogs on many occasions over the years. He is walked on a daily basis on a lead, and otherwise contained within our fenced property.

We believe you have no evidence to the claim that Bill was 'involved' in the very brief (yet upsetting for all involved) attack on the 24th May, which occurred outside our property at [REDACTED] and involved our daughter's dog attacking another dog and the owner being bitten between the fingers of [REDACTED] left hand when [REDACTED] attempted to intervene. The dogs escaped due to my daughter forgetting to secure the gate when she entered our property. All witnesses have been interviewed (by myself at the scene) and Animal control following the incident, including our daughter, the complainant, and our neighbour [REDACTED] who witnessed the incident, and all have confirmed that Bill did not attack the other dog or bite either the other dog or the complainant at any time during this attack. All witnesses have confirmed that Bill was present in that he ran out of our gate barking briefly, and he observed the attack. The incident of the dogs being out of the gate lasted less than 10 seconds, before they were ordered back inside our house (which they obeyed immediately), and has been described in full by all witnesses of whose account I have been informed by Animal control you are in possession of. When I came out of the gate the incident was finished, my daughter was holding her dog by the collar, the complainant and her dog were separated from them, and Bill was standing near the gate on the footpath.

As the owner of Bill, I was very upset at the incident, and provided immediate first aid assistance and compassion to the complainant, asking [REDACTED] what had happened. I offered to take [REDACTED] inside our

house, drive [redacted] home or to seek further medical care if [redacted] wished, which [redacted] refused strongly, stating clearly (which the neighbour heard) that [redacted] did not like doctors and nurses, and [redacted] would not seek medical care or take antibiotics if that were required. [redacted] insisted on walking home with [redacted] dog on the lead, after [redacted] had allowed me to clean and dress [redacted] minor wounds between the fingers of [redacted] left hand. [redacted] talked nonstop during this process. At this time [redacted] described Bill as having walked around [redacted] at a distance, and asked who he belonged to, this is contrary to the claim you have stated in writing that he was 'involved' in the attack on her dog. At no time did the complainant state to any of the witnesses present including me, that Bill was 'involved' in the attack. There was also absolutely no physical evidence of this being a two dog attack.

Bill is a rescue dog, not young, and he suffered for six nights in the pound following this incident, he now has kennel cough and a skin infection from this impounding, and we are not happy with how this process has been conducted or the cost of impounding, the cost of the impending fine, or the classification (without actual evidence) of him being a 'menacing dog'. He was very afraid to enter the cage at the pound, and it took me 10 minutes to persuade him to go in there. Of note, we spoke to both Clinton and his manager at the time of Bill's impounding stating our strong objection to their seizure of Bill, informing them there was no evidence from our daughter, the complainant, or the neighbour, all of whom witnessed the attack, or from my close examination immediately after the incident of the complainant's wounds, [redacted] dog's wounds, and [redacted] story of what had happened, that Bill had done anything other than rush excitedly out of the gate with his mate Ella, and then stop and observe the unfortunate attack (Which occurred due to our daughter forgetting to latch the gate when she came to collect her dog). The manager simply waved the seizure act at us, refused to acknowledge our concerns, and stated Bill had been accused of attacking another dog. When we asked him, he refused to provide any detail to support this statement, he provided no evidence, he refused to put a description of this allegation in writing, and we know he had no evidence. We are also aware that your funding model includes Armourguard receiving funding from seizing and impounding dogs prior to all the evidence being received regarding dog attacks. We believe this is not always ethical, as in Bill's case, it has allowed an unfair impounding for almost one week without evidence of him having been involved in the attack. This also incurred a cost of several hundred dollars to us.

We ask that you immediately remove this classification and the restrictions which come with it, of Bill being a 'menacing' dog, or provide substantial evidence as to the basis of this claim, and it needs to be more than a vague nonspecific claim that Bill was 'involved in the attack' on 24th May. Legally, that would not stand up in court. We will await your reply in writing.

Yours sincerely,

Sandra and Robert Meyst

WHANGAREI DISTRICT COUNCIL ATTACKS NON-PROSECUTION

AC221989

Part A – Background

'Ella' & 'Billie' Dog vs Dog & Person

Date: 17th March 2022

Officer # 95

Complainant

Address

Dog Owner (1) Jessica Meyst

Address

Dog Owner (2) Sandra Meyst

Address

Offending dog (1) Ella ID 74656

Breed Staffordshire Terrier

Colour Tan

Sex Female

Registered Yes

Microchipped Yes

History No

Classification No

Offending dog (2) Billie ID 72878

Breed Boxer

Colour Brown

Sex Male

Registered Yes

Microchipped Yes

History No

Classification No

closed

'KETE' ✓

Brief Description of Attack

On the 17th March 2022 at approx. 1900hrs [REDACTED] was walking [REDACTED] dog [REDACTED] along Weaver Street when both "Ella" and "Billie" have left their property and attack [REDACTED]. Medical treatment was required at Kauri Veterinary Clinic for minor injuries. [REDACTED] also received minor injuries to [REDACTED] finger and back of knee which did not require medical treatment.

Part B: - Officer recommendation

On this occasion the dogs were in the care of Jessica at her residence and were let off the property by her flatmate. Jessica did not witness the incident but acknowledges her dogs were at fault and was made aware of the event shortly after it occurred. Both dogs are registered, microchipped, with no previous history and caused only minor injuries. On these bases the decision was made to not impound the dogs and advise the owners of infringements to follow.

Sandra to receive a failure to control and confine infringement for Billie. This decision was made as either dog often spends time of each other's homes alternating daily for socialization. Jessica was not in care of the dog for enough time to indicate she was responsible for the dog's actions.

Jessica to receive a failure to keep dog controlled or confined for Ella.

No warning for disqualification or classifications are warranted for this incident.

Part C: - management review

Evidence provided on this file clearly supports an attack under s57 of the Dog Control Act 1996.

Offending dogs: Both dogs were fully compliant at the time of the attack. Neither has any known history with WDC and there were no indications of aggression shown towards Animal Management during the investigation. Complainant identified the dogs as coming from [REDACTED] Weaver Street where the two dogs were being kept at the time.

Offending dog owners: Both dogs are owned by two related families one of which resides at the [REDACTED] Weaver Street address outside of which the incident occurred. The dogs regularly visit each others address as family members drop the dogs off for the day. Given the sharing of duties arrangement between the families the owner accepting the dogs on any particular day can clearly be deemed the person in possession in the absence of the second owner.

Victim dog: [REDACTED] is also fully compliant and has no history with WDC. He was attacked while being walked on leash and it appears from the file that it was an unprovoked attack which lead to puncture wound injuries requiring vet treatment. Vet related reported are attached to the file.

Complainant: The victim dog owner has reportedly suffered minor injuries to [REDACTED] leg and one finger. The Officer has not detailed how those injuries were received so I can only assume that they were received through holding the leash and finding [REDACTED] in the way of the three dogs during the attack.

Witnesses: There was one witness to the incident, the flatmate who had arrived home and seemingly, let the dogs out through the closed gate. There is no statement from this person to explain what actually occurred.

I agree with the Officers recommendation to infringe for failing to control or confine both dogs. However, both infringements should be issued to Jessica Meyst as she was the person who accepted responsibility for the dogs on the day of the attack and she alone failed to ensure that the dogs were properly contained and were not able to leave the property.

The offending dog owners have reconsidered how there property visits will take place in future in an effort to mitigate a similar incident from occurring.




Disqualification of the dog owners or classification of either offending dog are not warranted in this case.

Appendix C

All parties are to be advised and infringement issued before endorsing file and submitting for closing.

	COMPLETED/DETAIL	OFFICER
Rescinded Letter	N/A	
Classification	N/A	
Infringement	DS10717 / DS10716	#95.

Dog Owner Advised	CE 8/7
Complainant Advised	CE 8/7.
Admin/infringement/letters	SP 183 21-07-22

Animal Management Review: 	Animal Management Manager/ Animal Management Executive Officer Date 04-07-2012
Outcome Review 	 WDC Contract Service Manager Date 8/7/22



Appendix C
22
Dog Incident

☐ WHANGAREI DISTRICT

PEN #

CRM #

AC221989

Officer Pat #59 Date 17 / 3 / 22 S M T W T F S

Dispatch Number 0388

Time received 1908 Actioned 1910 Arrived 1918 Completed 1923

Complainants Name

Address

Phone Number

Email

Complainant to be advised? ☐ Yes

Time / date contacted

Dog(s) are at Weaver st, Whau Valley

Dog Owner Name Jessica Meyst #548162

Address Weaver Street, Whau Valley

Phone Number

DOB

Type of complaint:

- | | | |
|--|---------------------------------------|---|
| <input checked="" type="checkbox"/> Attack | <input type="checkbox"/> Patrol | <input type="checkbox"/> Into Refuse |
| <input type="checkbox"/> Rushing | <input type="checkbox"/> Collection | <input type="checkbox"/> Trap |
| <input type="checkbox"/> Wandering | <input type="checkbox"/> Revisit | <input type="checkbox"/> Worrying Stock |
| <input type="checkbox"/> Barking | <input type="checkbox"/> Unregistered | <input type="checkbox"/> Conditions |

Action:

- | |
|--|
| <input type="checkbox"/> Barking Notice Served |
| <input type="checkbox"/> Seizure/Impounded |
| <input type="checkbox"/> Infringements Issued |
| <input type="checkbox"/> Revisit Required |

Complaint 2x dogs have attacked caller and her 8 month old dog.

① "Billie" ID 72878, Boxer, Brown, (M) Belonging to Sandra Meyst of [redacted]

Tech One ID 74656

Registration Number 11457 ☐ Male ☒ Female

Name Ella

Microchip 953016002906254

Breed Staffordshire Terrier

Result Rang caller collecting details. Gov

Colour Tan

Result Date 17 / 3 / 22

A.M.O

Officers Comments

Rang [redacted] who explained how 2 resident dogs from # [redacted] Weaver st exited their property and attacked dog. [redacted] young German Shepherd has received puncture wounds

Canine Health Check:

- | | | | | | |
|-----------------|------------------------------------|--------------------------------|-------------------------------------|-----------------------------------|------------------------------------|
| Body Score 1-5: | <input type="checkbox"/> Very Poor | <input type="checkbox"/> Poor | <input type="checkbox"/> Normal | <input type="checkbox"/> + Weight | <input type="checkbox"/> ++ Weight |
| Demeanor: | <input type="checkbox"/> Normal | <input type="checkbox"/> Timid | <input type="checkbox"/> Aggressive | <input type="checkbox"/> Other | |
| General Body: | <input type="checkbox"/> Healthy | <input type="checkbox"/> Poor | <input type="checkbox"/> Wounds | <input type="checkbox"/> Other | |

Returned to Owner

Time

Receipt Number

while caller has suffered a wrenched finger & a scratch to [REDACTED] leg.

[REDACTED] has been advised that an A.M.O will followup with the attack tomorrow. ENTERED

18/3 0900 Officer 95 phoned [REDACTED] who confirmed details of the incident.

[REDACTED] required treatment for minor injuries at Kauri Vets. Email address provided to provide photo evidence of injuries. Two offending dogs described as 1x small & 1x large Mastiff type breed. Both brindle coloured. [REDACTED] to complete official statement later today at Whangarei Animal Management.

Kauri Vets phoned and proof of treatment to be provided by email.

1530 - Official statement recorded with complainant and John officer 140

21/3 1400 - Visited [REDACTED] Weaver Street. No dogs signed on the property.

1510 - Phoned Jessica, the owner of "Ella" who confirmed her flatmate witnessed the incident. She was unaware the victim dog was injured. Second dog involved belongs to her parents. Her dog "Ella" is staying with her parents while at work, which is why she was not sighted at [REDACTED] Weaver Street today.

Neither "Billie" or "Ella" have any previous history. Both dogs are currently registered to Whangarei.

22/3 1640 Phoned [REDACTED] and advised [REDACTED] the offending dogs have been located. Discussing the process of investigation, [REDACTED] has advised [REDACTED] does not wish for the dogs to be impounded but the owners

File Edit View Tools Actions Window Help

My Reports and Files Announcements Reminders Preferences

Home My Events My Workflow Animal Maintenance Regulatory Debt and Charge Management Service Management Infringement Management Reporting NDD & Extracts

Maintenance help back forward home close clear retrieve

Actions to Perform

Generate Licence Fee

Save and Clear

Save

Delete

Links to other Functions

Fee Scheme Maintenance

Notice Maintenance

ePay Transaction Enquiry

Notice Selection

Animal Creation

Map View

Charge Enquiry

Receipt Detail

Animal Enquiry

Sections to Display

Related Data

Associations (3)

Fee Payer(1)

Jessica Rose Meyst

Owner(1)

Property Kept At(1)

Attributes (0)

Animal

Animal ID:

74656

FeePayer(s): JR Meyst

Owners(s): JR Meyst - (M)

Kept At:

(1 Pet on property)

Renewal Date: 01-07-2021, Fee 86.00, Date Paid 14-07-2021, 0.00 outstanding

General

Additional Details

Animal Details

Animal Name:

Ella

Date Of Birth:*

30/07/2018

Years:

3

Months:

8

Primary Breed:*

SBTE

Terrier Staffordshire Bull

Secondary Breed:

Primary Colour:*

TAN

Tan

Secondary Colour:

Description:

Distinguishing Marks:

Permanent Identifier:

Gender Details

Gender:*

Female

De-sexed

☒

De-sexed Certified Date:

30/01/2019

De-sexed Certified By

156

Officer 156

Notes:

pay for the vet bills²⁵. involved. [REDACTED]
decision was made based on the 571(4)
conditions not enforcing any improvements to
the fencing as this is not a requirement under
the dog control Act. I explained to [REDACTED] the
property would pass a officer's check and the
expectation is to have the dog controlled by any
form that means ~~passes~~ necessary.

[REDACTED] provided account details to me by email
with permission to pass onto dogowners

1700hrs Jessica and Sandra spoken over phone and
advised of investigation update. Jessica was asked to
complete statement by email and both dogowners
are aware FCC infringements will be issued by
mail. Jessica is prepared to pay victim's vet bill
and has already put measures in place to ensure
it does not happen again.

Jessica was asked to provide photos of the two offending
dog to confirm identity. This request was declined as there
was no dispute from dogowner Billie and Ella were responsible.

Witness, Jessica's flatmate, who had opened the gate to allow
the dog to exit the property was not able to supply a statement
however Jessica acknowledges she was advised of the incident
shortly after it occurred.

Infringements issued to dogowner/person in
possession Jessica Meyst
DS10717
DS10716.

ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT



Personal Details			
<input checked="" type="checkbox"/> Complainant		<input type="checkbox"/> Victim [REDACTED]	
Title:	[REDACTED]	Date of Birth	[REDACTED]
Name:	[REDACTED]	[REDACTED]	[REDACTED]
Address:	[REDACTED] Whau Valley.		
Home Phone:	[REDACTED]	Work Phone:	[REDACTED]
Mobile Phone:	[REDACTED]		
Email:	[REDACTED]		

DOG DETAILS			
Number of dogs involved: <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 or more (attach separate sheet)			
Dog 1		Dog 2	
Gender:		Gender:	
Size:	Medium approx 20kg	Size:	Large
Ears:		Ears:	
Tail:		Tail:	
Breed:	Staffy x ?	Breed:	Terrier mix ?
Colour:	Brindle mix	Colour:	Mixbrindle
Collar:		Collar:	
Distinguishing Features:		Distinguishing Features:	

ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT**DOG IDENTIFICATION**

☐ Dog not positively identified

☐ I am familiar with offending dog(s)

☒ I have seen offending dog confined on property at:

 [REDACTED] Weaver St, Whau Valley

☐ Positive identification of the dog(s) in Animal Management Vehicle on

(date) _____ at (time) _____

☐ Positive identification of the dog(s) at Animal Shelter on

(date) _____ at (time) _____

☐ Positively identified from photos provided by Animal Management Officer #: _____

DOG OWNER IDENTIFICATION

☒ I do not know who owns the dog

☐ I know the owner of the dog

Description of dog owner (ethnicity, gender, build, approximate age, clothing, vehicle, etc.)

ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT



Complainant Statement	
On the (date)	17-3-2022
at approximately (time)	7 PM
I was at (place)	Weaver St, Whau Valley
What happened?	
<p>I was walking my German Shepherd cross on a lead on the footpath along Weaver St. My dogs name is [REDACTED] I saw a young caucasian woman pull into her driveway at [REDACTED] Weaver St. As we were walking past [REDACTED] I heard the young woman shout "NO!" The first brindle mix coloured dog from [REDACTED] came running off its property towards [REDACTED] rolled over in submission and the dog started attacking [REDACTED] in his groin area. I can't remember if the dog latched onto [REDACTED] or not as it happened so fast. [REDACTED] was yelping trying to get up and I was screaming at the owner and a second brindle mix coloured dog came racing out and attacked [REDACTED] in the chest area leaving puncture wounds. I was still yelling at the owner while I was trying to seperate them, a young man from [REDACTED] ran out and collected the dogs and took them back to [REDACTED] I yelled at the owners</p>	
Signature	[REDACTED]

ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT



to keep their dogs under control. I later found scratch marks in his groin area. I called the emergency vet and explained the injuries. The vet is letting the wounds drain naturally and prescribed painkillers and anti-biotics this morning. [REDACTED]

Signature

[REDACTED]

ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT



Declaration

This statement is true and I have made with the knowledge that it is to be used in court proceedings (Pursuant to section 82 of the Criminal Procedure Act 2011).

Print Name: _____

Signature: _____

Date: 18/03/22

Name of parent/guardian: _____

(where complainant is less than 16 years old)

Signature of parent/guardian: _____

(where complainant is less than 16 years old)

Statement recorded at: Animal Management Center

AMO Name: JOHN

AMO Number: 140

AMO Signature: _____

Date and Time: 18/3/2022 8:30PM

Please Note: if the Whangarei District Council finds evidence of an offence and your matter goes to court, you may be required to attend court to give evidence. If the Council decides to pursue a prosecution, a court order for the destruction of any offending dogs will be sought

(Office Use Only: Animal Management Officer Tick one)

- ☒ Complainant has confirmed that they are prepared to attend a court hearing and give evidence if necessary.
- ☐ Complainant has confirmed that they are NOT prepared to attend a court hearing and give evidence.

Signature: _____

Date: 18/03/22

INJURY INFORMATION SHEET - PERSON

Medical

Did you/ the victim seek medical treatment following the incident?

☒ No

☐ Yes

Date _____

Time _____

Where did you/ the victim receive treatment?

I cleaned the scratch on my left leg myself with anti-septic

ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT



Describe your/ victim's injuries:

Describe the medical treatment you/ the victim received:

Scratch below my left knee, my injured left middle
finger was re-injured.

Injuries

Did you/ the victim receive injuries?

☒ No

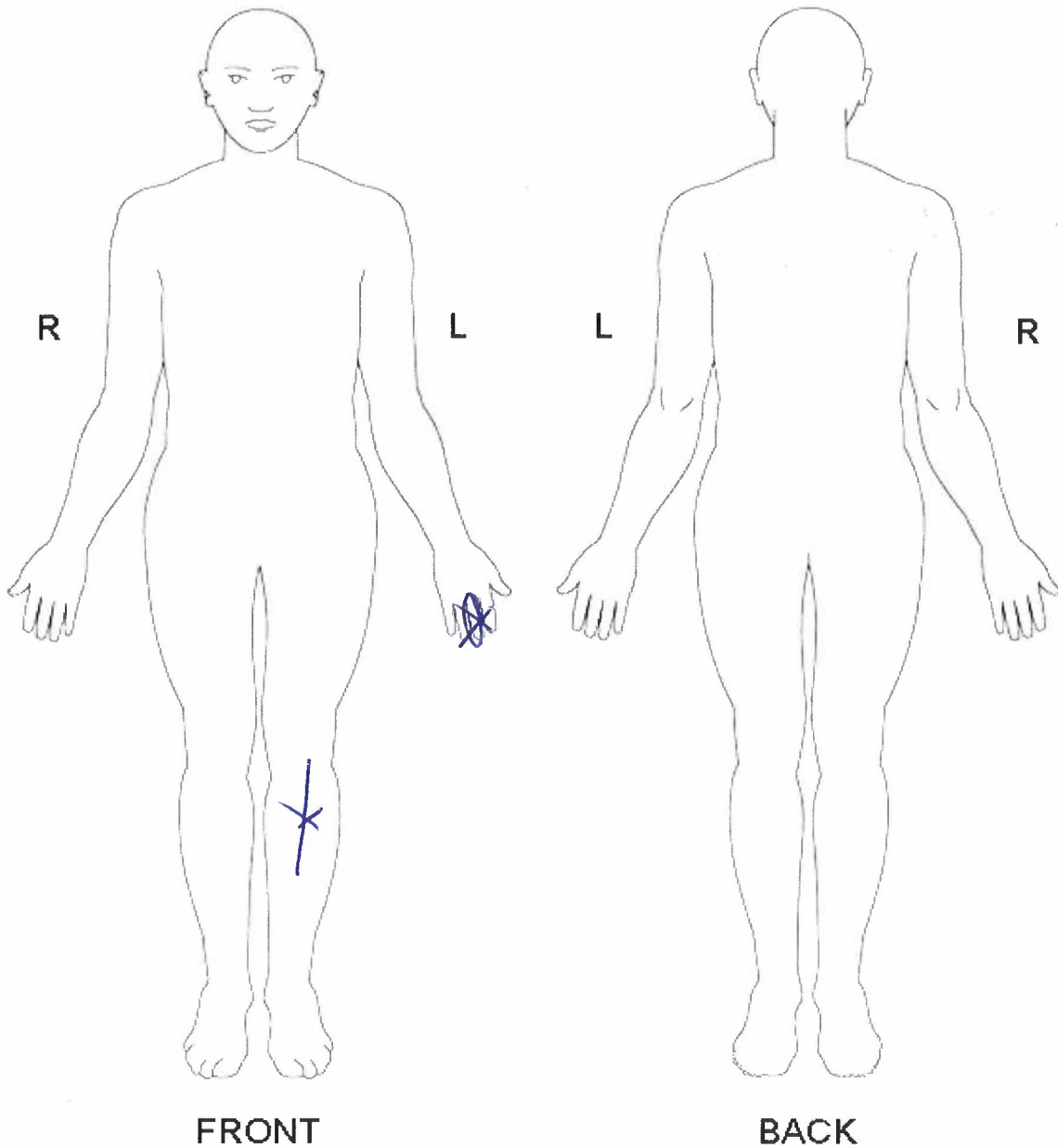


Yes

Please indicate on the diagrams the part of the body that was injured

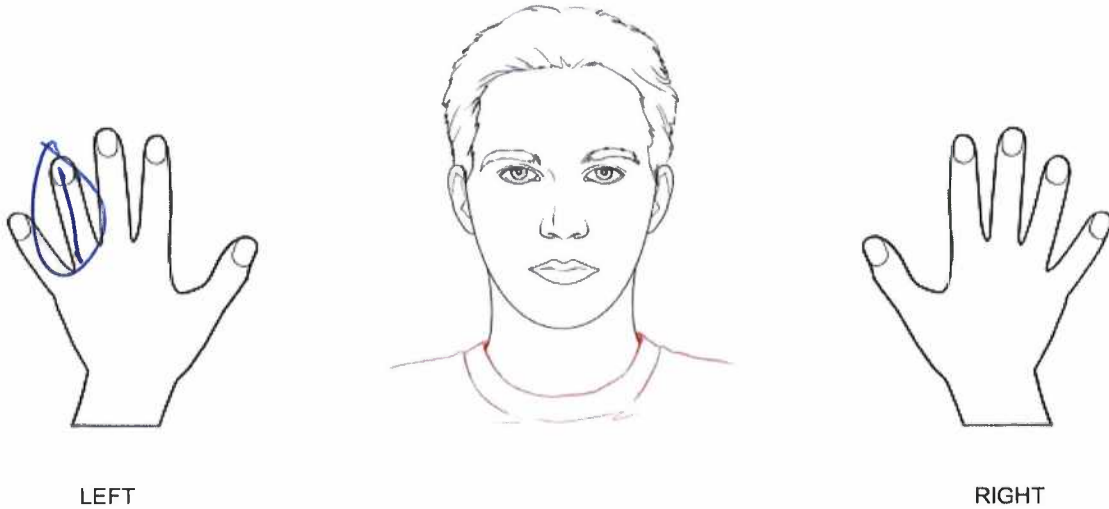
ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT



ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT



INJURY INFORMATION SHEET - ANIMAL

Veterinary

Did you seek veterinary treatment for your animal (s) following the incident?

☐ No ☒ Yes Date: 18/3/2022 Time: 8:30am

Where did your animal(s) receive treatment?

Kauri Vet

Nature of the animal's injuries: Puncture wounds to chest
Scratches around groin.

Describe the veterinary treatment your animal(s) received: Anti-biotics, painkillers

Veterinary costs: \$ 146.00 (attach veterinary bills/invoices)

Injuries

Did your animal(s) receive injuries?

☐ No ☒ Yes Please indicate on the diagrams the part of the body that is injured.

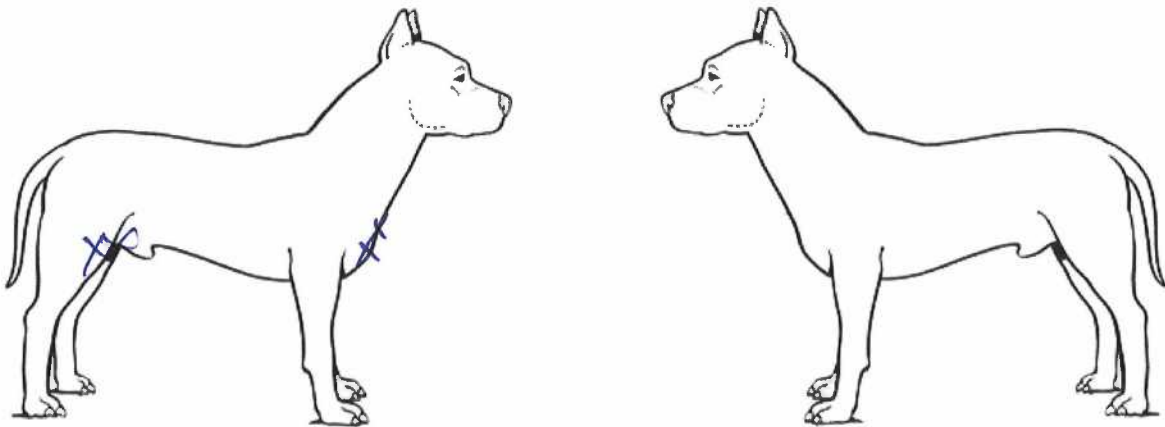
ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT

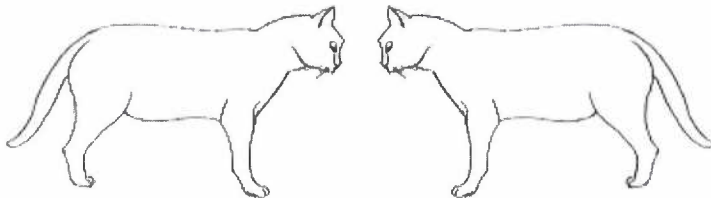


Domestic Animals

☒ Dog



☐ Cat



☐ Other domestic animal

Livestock

Animal type:

No. of animals injured: 1 dog.

No. of animals deceased:

car pulling
into driveway.

attack
site

Gate into property.



Christine Crawford

From: kaurivet@xtra.co.nz
Sent: Friday, 18 March 2022 9:33 AM
To: Christine Crawford
Subject: Record for [REDACTED]

EXTERNAL: This email originated from outside Whangarei District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Christine,

Attached are the records for [REDACTED] as requested

Regards

Jude

Kauri Vets

Client Name: [REDACTED]
Patient Name: [REDACTED]
Breed: German Shepherd Cross x Huntaway
Age: 8 months 8 days old
Sex: M

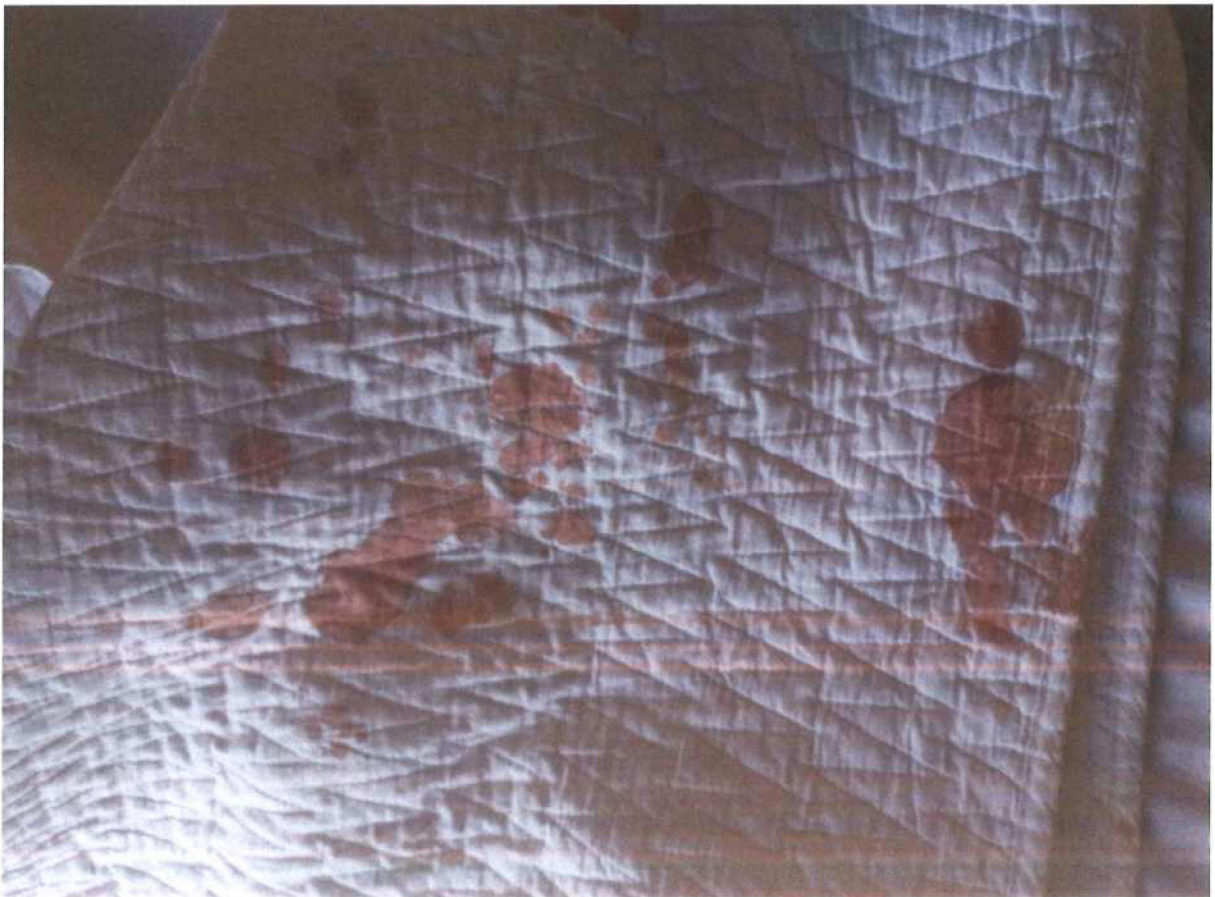
Clinical Record Date: 18 MAR 22 09:27

Vet: Andrew Miller

Clinical Notes: Been in a dog fight, Puncture wounds ventral chest 1cm dia draining well. Should heal ok without surgery, but will know more in 5 days.

Drugs Dispensed:

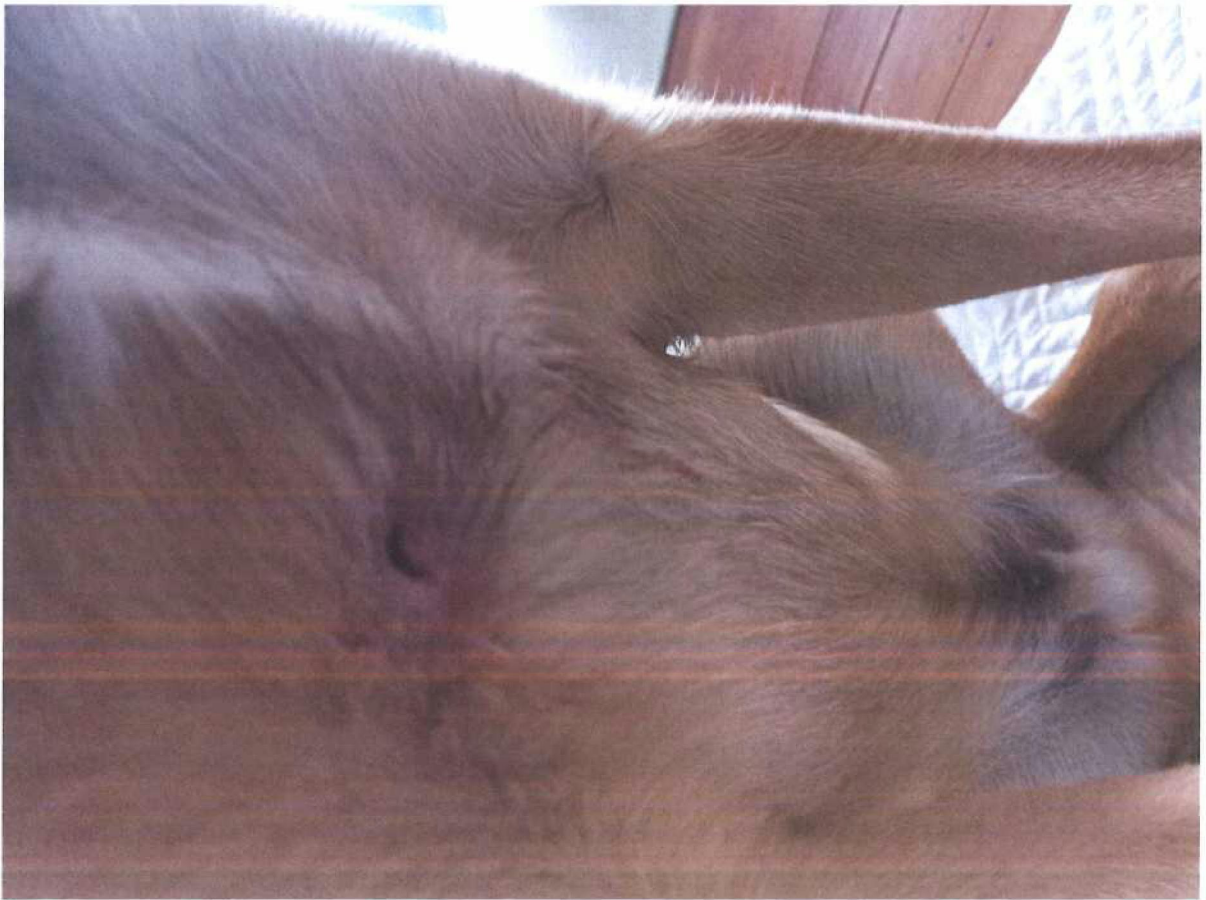
1 x Consultation Fee
20 x Clavulox Tablets 250mg
10 x Carprieve 50mg Tablets



Date: 17/3/22 Time: CRM: AC221989
Photo taken/provided by: Complainant
Photo description: injuries to complainants hand and
blood overnight from [REDACTED] injuries.



Date: 17/3/22 Time: CRM: AC221989
Photo taken/provided by: Complainant
Photo description: Victim [REDACTED]



Date: 17/3/22 Time: CRM: AC 221989
Photo taken/provided by: Complainant
Photo description: Victim [REDACTED] injuries to chest.



Date: 11 / 3 / 22 Time: CRM: AC 221989

Photo taken/provided by: Complainant

Photo description: Complainants injuries to back of leg

Christine Crawford

From: [REDACTED]
Sent: Thursday, 24 March 2022 12:49 PM
To: Christine Crawford
Subject: Incident at [REDACTED] Weaver Street

EXTERNAL: This email originated from outside Whangarei District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon Christine,

Further to our conversation on Tuesday evening regarding my dog (Ella) and my parents dog (Billy), below are the following measures I will be taking to ensure my responsibility as a dog owner and to guarantee that the incident which occurred outside my property involving Billy and Ella last week does not happen again:

- Billy will no longer be staying at my residence regularly and this will only occur on special circumstances e.g., if his owners (my parents) are away and he needs looking after.
- Myself and my flatmate will take all measures to ensure the gate and front doors are shut at all times (unless Ella is not on the property).
- Ella is to attend behaviour sessions with a qualified person to prevent any future aggression issues.

Kind regards,
Jessica Meyst

Christine Crawford

From: [REDACTED]
Sent: Tuesday, 22 March 2022 5:07 PM
To: Christine Crawford
Subject: Dog attack on [REDACTED] Thursday 17/03/22
Attachments: 9111_Pay_455585.pdf

EXTERNAL: This email originated from outside Whangarei District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I would like the owners of the 2 dogs at [REDACTED] Weaver Street to pay our vet bill as restitution for the attack.
I do not expect the dogs to be impounded as long as the animal control officer is satisfied that they will be kept under control in the future so it can never happen again.
My bank account number is:
[REDACTED]
Regards [REDACTED]

Kauri Veterinary Hospital

31-33 Great North Rd
P. O. Box 4207
Kamo
09 4351 100
kaurivet@xtra.co.nz

GST No. 61-791-744
Receipt No: 455585
Date: 18 Mar 22
Client Code: 9111

Receipt

Payment Received	Date	Number	User	Total \$
EFTPOS payment	18 Mar 22	455585	JL	146.00

Associated Invoice Details			Vet	Qty	Amount \$
18 Mar 22	Invoice No.455584	Dexter			
Consultation Fee			AM	1	65.00
Clavulox Tablets 250mg			AM	20	54.00
Carprieve 50mg Tablets			AM	10	27.00
			Net: 126.96	GST: 19.04	Total: 146.00

Account Details**Receipt Totals:**

Balance Forward	0.00
+ Invoice Total	146.00
- Payment Total	146.00
Balance Due	0.00



Appendix D Dog Incident

☐ WHANGAREI DISTRICT

PEN #

CRM #

AC 23 13247

Officer 93 Date 2 / 11 / 23 S M T W T F S

Dispatch Number

Time received 08:30 Actioned 0835 Arrived 1040 Completed 1045

Complainants Name

Address

Phone Number

Email

Complainant to be advised? ☐ Yes

Time / date contacted

Dog(s) are at

Dog Owner Name

Sandra Meyst

Address

Phone Number

DOB

Type of complaint:

☐ Attack

☐ Patrol

☐ Into Refuse

☐ Rushing

☐ Collection

☐ Trap

☒ Wandering

☐ Revisit

☐ Worrying Stock

☐ Barking

☐ Unregistered

☐ Conditions

Action:

☐ Barking Notice Served

☐ Seizure/Impounded

☐ Infringements Issued

☐ Revisit Required

Complaint 1x Lge Brown - Mastiff - wandering + fouling on
callers property.

Dog Details:

Tech One ID 72878

Registration Number 12007

☒ Male ☐ Female

Name Billie

Microchip 953010002897860

Breed Boxer X

Result Owner spoken to

Colour Brown

Result Date 2 / 11 / 23

Impound Picture loaded into Database ☐

Date Uploaded / /

Canine Health Check:

Body Score 1-5: ☐ Very Poor

☐ Poor

☐ Normal

☐ + Weight

☐ ++ Weight

Demeanor: ☐ Normal

☐ Timid

☐ Aggressive

☐ Other

General Body: ☐ Healthy

☐ Poor

☐ Wounds

☐ Other

Returned to Owner / /

Time

Receipt Number

Notes:

46

Spoke to [REDACTED] occupant, informed [REDACTED] of complaint, [REDACTED] was out at the time. [REDACTED] will keep the dog at the front of property were he can't get out.

Appendix D

WHANGAREI DISTRICT COUNCIL ATTACKS NON-PROSECUTION

Part A – Background

Dog vs Person

Date: ~~30/3/24~~ 24-05-2024

Officer # 264

Complainant
Address

[REDACTED]

Dog Owner
Address

Sandra Meyst

[REDACTED]

Dog Owner
Address

Jessica Meyst

[REDACTED]

Offending dog

Billie (72878)

Breed

Boxer Cross

Colour

Brown

Sex

Male

Registered

Yes

Microchipped

953010002897860

History

No

Classification

None

Offending Dog

Ella (74656)

Breed

Staffy Cross

Colour

Tan

Sex

Female

Registered

Yes

Microchipped

953010002906254

History

No

Classification

Brief Description of Attack

The complainant [REDACTED] who resides at [REDACTED] sent in a complaint to Animal Management on the 24th of May 2024. [REDACTED] explained that both [REDACTED] and [REDACTED] dog [REDACTED] got attacked earlier by two dogs at [REDACTED] Titoki Place when [REDACTED] was walking [REDACTED] dog as [REDACTED] regularly does. I investigated the complaint and found that both dogs are owned by two different owners. Sandra MEYST who resides at [REDACTED] and owns Billie and Jessica MEYST who owns Ella and resides at [REDACTED]. I got in contact with both owners and arranged for them to take separate statements, as well as impounding their dogs because of the attack. Jessica admitted that only her dog Ella bit the complainant and that she visited her mom Sandra to pick up her dog and she left the front gate open, that is how the dogs then escaped on to the street and attacked [REDACTED] and [REDACTED] dog. The complainant advised that both dogs rushed out their address and attacked [REDACTED] dog [REDACTED] directly, [REDACTED] then leaned in between the dogs with [REDACTED] hand to try and grab [REDACTED] dog away from the fight and then got bit in between [REDACTED] two fingers on [REDACTED] left hand. [REDACTED] only noticed that [REDACTED] dog received some puncture wounds during the attack when [REDACTED] got back home and cleaned [REDACTED].

Date:

Part B: - Officer recommendation

OFFENDING DOGS: Billie and Ella have had no previous history with Animal Management on TechOne with regards to an attack or something similar. The dogs were both registered at the time of the attack.

OFFENDING DOG OWNER: I have never met Sandra or her daughter Jessica Meyst who is the owners of Billie and Ella. I called Sandra after I visited the property on two different occasions and found no one home and tried explaining to her what happened and what the process will be with regards to both dogs. Sandra was very unhappy and kicked off straight away with the phone call leading nowhere. I got in contact with Jessica the next week and explained to her what happened and what the process will be with regards to the incident, and she understood and was fully compliant. Jessica advised that she will speak to Sandra and arrange for them to bring the dogs in and take both statements. Sandra and Jessica both gave their cooperation thereon.

RECCOMENDED OUTCOME: I believe that Billie and Ella should be issued with an FCC infringement as this was their first offence with us. I would recommend that the dogs be released back to the owners without classifying them and not serving S71 documents because this was a minor first-time offence. I have discussed this with Management and a mutual agreement regarding the end decision was made. I also found that with the all the statements provided and evidence collected that only Ella was the offending dog that physically attacked both the complainant and her dog. I also found that Billie however was not involved but was not controlled or confined at the time of the attack.

Date:

Part C: - management review

There is sufficient evidence contained in this file to support an offence under s57 of the Dog Control Act 1996. Two dogs have been involved in this matter, one of which was solely responsible for attacking the complainants victim dog causing a number of puncture wounds. These did not require vet treatment. The second dog reportedly followed along with the main offending dog but did not engage in the attack. The complainant unfortunately has placed hands between dog and the attacking dog and has been bitten as a result. A moderate wound was received which did receive medical treatment.

Identity of the offending dogs is not in question and the owners have, although initially reluctant, been cooperative in investigating the complaint and offering the dogs for impound.

Both dogs were compliant at the time of the offence and neither has any history known to A.M. Given the nature of the offence and the circumstances surrounding it, although a property check was carried out at both dogs separate addresses, it was not deemed necessary to release the dog under s71(5) conditions. Hence the requirement to classify the dogs as menacing was also waived as the investigation was complete at the time of release and the recommendations had already been discussed and established with management.



Both dogs have managed to get through the front gate at the address and both rush at and/or attack the victim dog. Officer to issues infringements to both dog owners for FCC. Given the lack of history it is not necessary not classify the dogs on this occasion.

Generally the dogs are housed securely but the officer when advising all parties of the outcome should reiterate with the offending dog owners the importance of ensuring that all gates etc are maintained and kept closed to mitigate any further offences.

Date:

	COMPLETED/DETAIL	OFFICER
Rescinded Letter	N/A	
Classification	N/A <i>Mening both dogs</i> ✓	
Infringement	FCC x 2	DS14610 <i>DS14611</i>

Dog Owner Advised	<i>Completed</i>
Complainant Advised	<i>Completed</i>
Admin/infringement/letters	<i>SC 183 14.06.24</i>

Animal Management Review: 	Pete Banks/Christine Crawford Animal Management Manager/ Animal Management Executive Officer Date <i>6.6.2024</i>
Outcome Review 	Pete Banks/Christine Crawford Animal Management Manager/ Animal Management Executive Officer Date: <i>14/6/24</i>

Note: Dogs found to both have previous attack history. Review hasn't changed but Menacing classifications imposed to both dogs.





Attack Pack

- | | |
|---|---|
| <input checked="" type="checkbox"/> Offending Dog Photos | <input type="checkbox"/> Victim Impact Statement |
| <input checked="" type="checkbox"/> Complainant Statement | <input checked="" type="checkbox"/> Dog Owner Statement |
| <input checked="" type="checkbox"/> Identification | <input checked="" type="checkbox"/> Section 69 Impound Notice |
| <input checked="" type="checkbox"/> Photos of injuries | <input checked="" type="checkbox"/> Official Claim Form |
| <input type="checkbox"/> Medical Reports | <input checked="" type="checkbox"/> TechOne Dog ID Printout |
| <input checked="" type="checkbox"/> Photos/Map of Scene | <input checked="" type="checkbox"/> Dog Owner/Offending Dog History |
| <input type="checkbox"/> Witness Statement | <input type="checkbox"/> Elements of Proof |

CRM	AC2420608
Assigned Officer	264
Date of Offence	24/5/24
Incident Type	Dog vs Person & Animal
Site of Incident	
Complainant	
Witness/s	
Dog Owner	Sandra & Jessica Meyst.
Predicted Outcome	

ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT

Personal Details			
<input checked="" type="checkbox"/> Complainant		<input checked="" type="checkbox"/> Victim	
Title:		Date of Birth	
Name:			
Address:			
Home Phone:		Work Phone:	
Mobile Phone:			
Email:			

DOG DETAILS			
Number of dogs involved: <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 or more (attach separate sheet)			
Dog 1		Dog 2	
Gender:	—	Gender:	—
Size:	Med	Size:	Large
Ears:	Floppy	Ears:	Floppy.
Tail:	Yes ✓ - long.	Tail:	Yes ✓ - long
Breed:	Ambull X ✓	Breed:	Ambull X.
Colour:	Light Brown.	Colour:	Tan
Collar:	—	Collar:	—
Distinguishing Features: None.		Distinguishing Features: None.	

ANIMAL MANAGEMENT PROSECUTION FILE

**COMPLAINANT
DOG IDENTIFICATION**☐ Dog not positively identified☐ Familiar with dog(s)☒ Seen it/ them confined on property at:

Titoki Place

☐ Positive identification of the dog(s) in Animal Management Vehicle on
(date) _____ at (time) _____☐ Positive identification of the dog(s) at Animal Shelter on
(date) _____ at (time) _____☐ Positively identified from photos provided by Animal Management Officer #: _____**DOG OWNER IDENTIFICATION**☒ I do not know you owns the dog☐ I know the owner of the dog

Description of dog owner (ethnicity, gender, build, approximate age, clothing, vehicle, etc.)

--

COMPLAINANT

Complainant Statement	
On the (date) <u>24/5/24</u>	at approximately (time) <u>17:00</u>
I was at (place) <u>██████ Titoki Place, tt Kensington</u>	
What happened?	
<p>My name is ████████ and i have been living at ████████ in Whau Valley, for about two years now. I have owned my dog ████████ for about a year now. I took ████████ for her regular walk yesterday on the 24th of May around 16:15, where we left ████████ and walked down Beddington street making our way to Percy street where it ends, i turned right and we walked on to Western Hills ^{drive} street. We then turned right in to Titoki Place and continued to walk down ^{up} the road and then turn back when entering the ^{cul-de-sac} cul-de-sac. As we were walking down ^{up} Titoki Place street I heard ^{heard} a loud noise of dogs to rushing through the front ^{small} gate of the property. I heard dogs at ████████ Titoki Place who rushed at the small steel gate, who then popped it open and continued at a high speed towards me and ████████</p>	
Signature ████████	

x smile

x great

ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT

I saw the dogs grabbing [REDACTED] and shaking her around, I screamed at the dogs and trying to get them to let go of my dog. I was kicking them and hitting the dogs with the handle on [REDACTED] lead. I then tried to grab her and one dogs bite my hand, twice. ~~I then~~ The dogs then tripped me over and I fell to the ground close to where the attack is busy happening. ~~I then~~ ~~heard the owner of one of the dogs calling them back home.~~ The dogs let go and ran back inside of the property. I noticed blood on my hand and all over [REDACTED], not knowing that she got bit at the time. Neighbors came out and saw what happened and offered to help us. The owner of the dog who is a female went to fetch a first aid kit as she offered to take care of my hand. The female owner explained to me that one of the dogs is owned by her daughter who was also ~~step~~ present

Signature [REDACTED]

I noticed the dogs owner trying to retrieve the dogs at the time (5) where she, her husband and daughter tried their best to get the dogs back in to the property.

ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT

at the time. The dog owner washed and dressed my hand and offered to drive me to the hospital where I then declined. They did apologise to me and I advised them that I will be making a complaint and report what happened, they said I must do what I have to. I then walked to St. Johns to find out if they can help me, but they were just leaving and advised me to go to White Cross where I will have to wait for about 4 hours. I decided not to go and walked back home. I went to my neighbour's house and told her what happened, I noticed her dogs licking [redacted] on certain areas of her body. I then came home and looked at my hand and dressed it. I then looked at [redacted] and dressed her hands, also noticing about 7 puncture wounds that she occurred during the attack. I then called Animal Management and made the complaint as to what just happened. I would like the owners talk to about the gate where they bursted through, the dogs.

Signature [redacted]

ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT**Declaration**

This statement is true and I have made with the knowledge that it is to be used in court proceedings (Pursuant to section 82 of the Criminal Procedure Act 2011).

Print Name: _____

Signature: _____ Date: 25/5/2024

Name of parent/guardian: _____
 (where complainant is less than 16 years old)

Signature of parent/guardian: _____
 (where complainant is less than 16 years old)

Statement recorded at: _____

AMO Name: Clinton AMO Number: 264

AMO Signature: [Signature] Date and Time: 25/5/24

INJURY INFORMATION SHEET - PERSON**Medical**

Did you/ the victim seek medical treatment following the incident?

☒ No ☐ Yes Date _____ Time _____

Where did you/ the victim receive treatment?

Describe your/ victim's injuries:

left hand between two fingers bitten in the middle.

Describe the medical treatment you/ the victim received:

None

COMPLAINANT

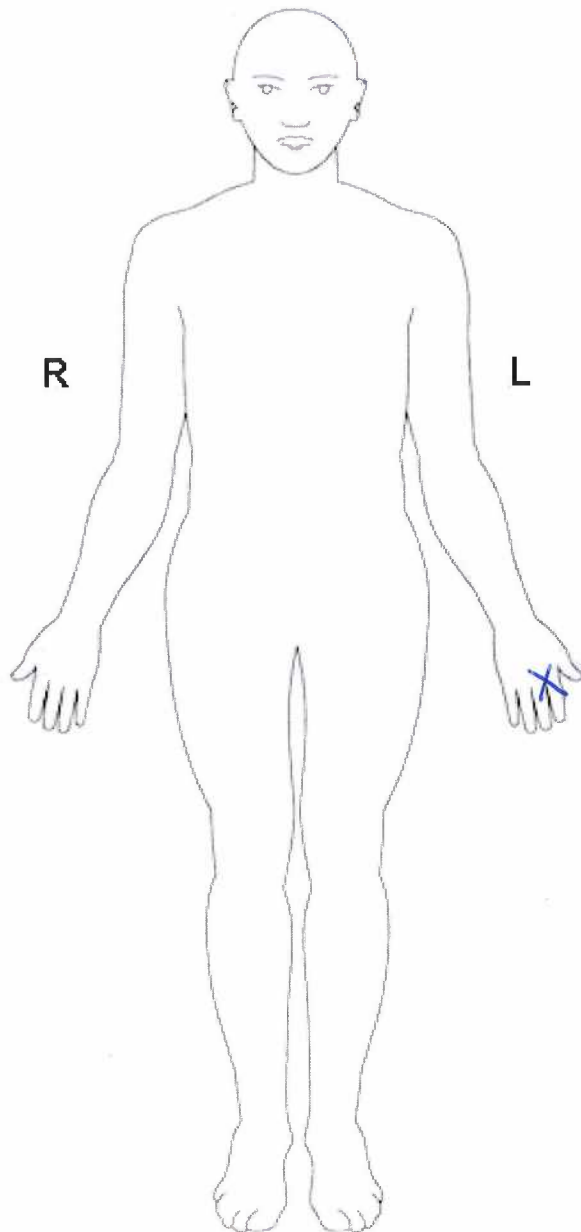
Injuries

Did you/ the victim receive injuries?

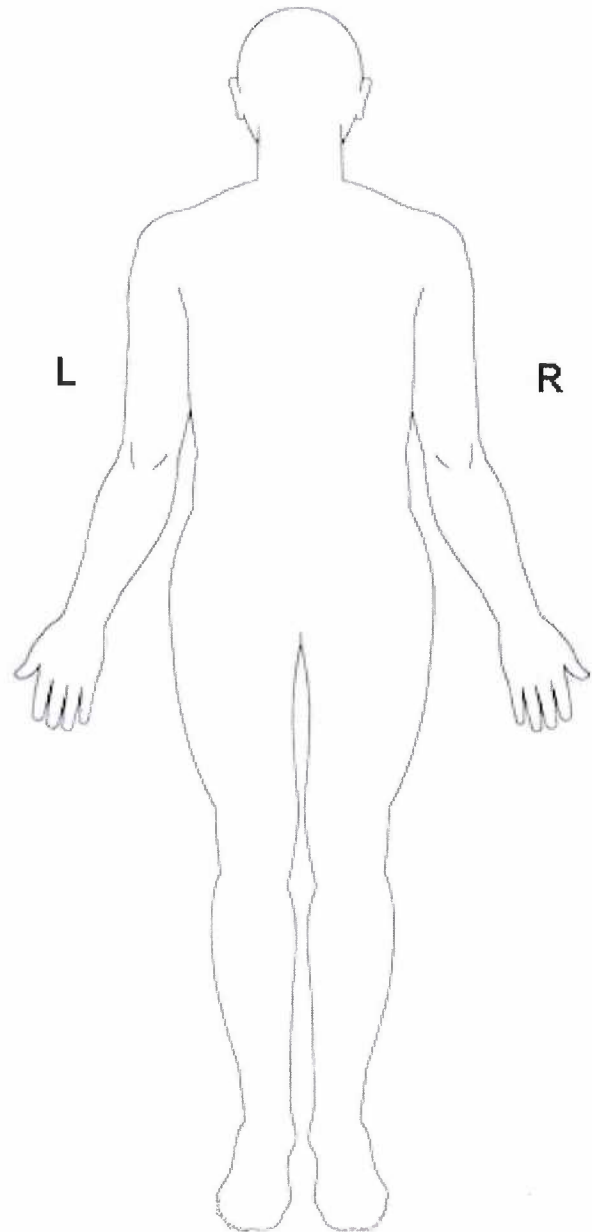
☐ No

☒ Yes

Please indicate on the diagrams the part of the body that was injured

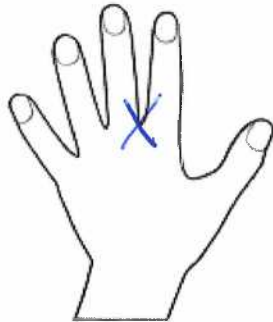


FRONT

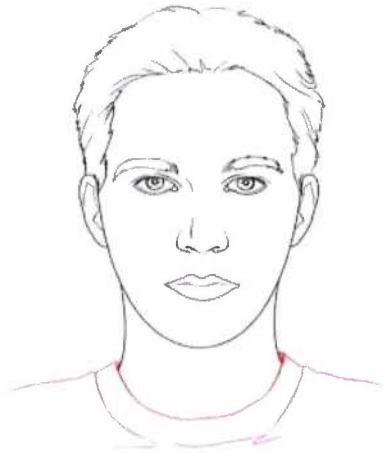


BACK

ANIMAL MANAGEMENT PROSECUTION FILE

COMPLAINANT

LEFT



RIGHT

INJURY INFORMATION SHEET - ANIMAL**Veterinary**

Did you seek veterinary treatment for your animal (s) following the incident?



No



Yes

Date: _____ Time: _____

Where did your animal(s) receive treatment?

Nature of the animal's injuries:

Describe the veterinary treatment your animal(s) received:

Veterinary costs: \$ _____ (attach veterinary bills/invoices)

Injuries

Did your animal(s) receive injuries?



No



Yes

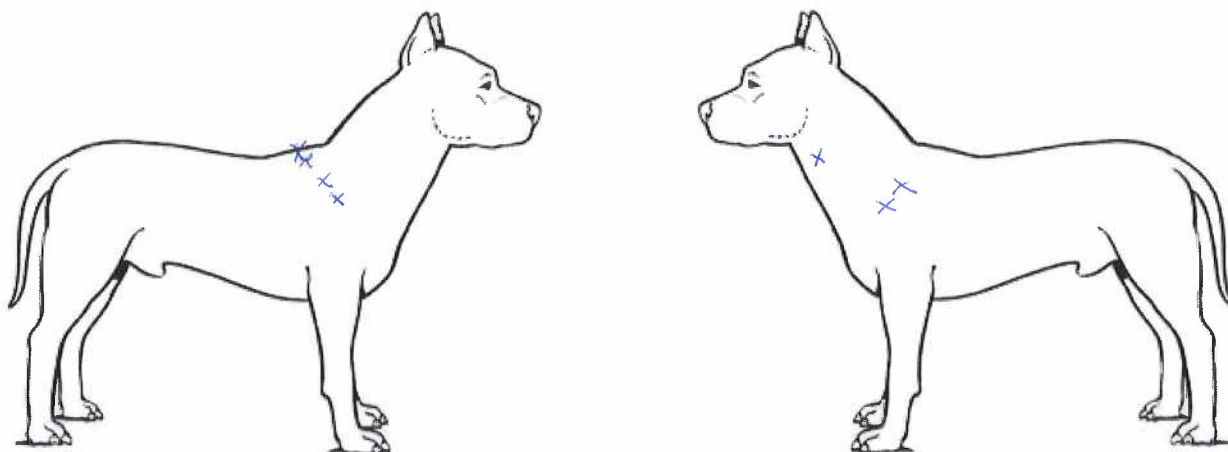
Please indicate on the diagrams the part of the body that is injured.

ANIMAL MANAGEMENT PROSECUTION FILE

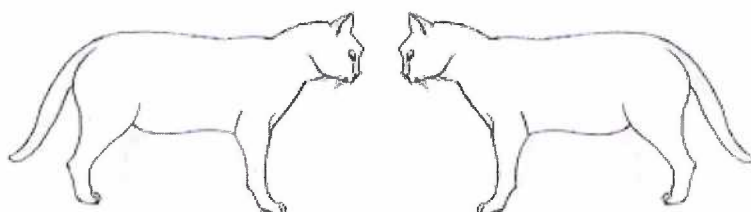
COMPLAINANT

Domestic Animals

☒ Dog



☐ Cat



☐ Other domestic animal

Livestock

Animal type:

No. of animals injured:

No. of animals deceased:

Complainant Injury's on [REDACTED] left hand between the two fingers.



The Victim dog [REDACTED] & Puncture Wounds



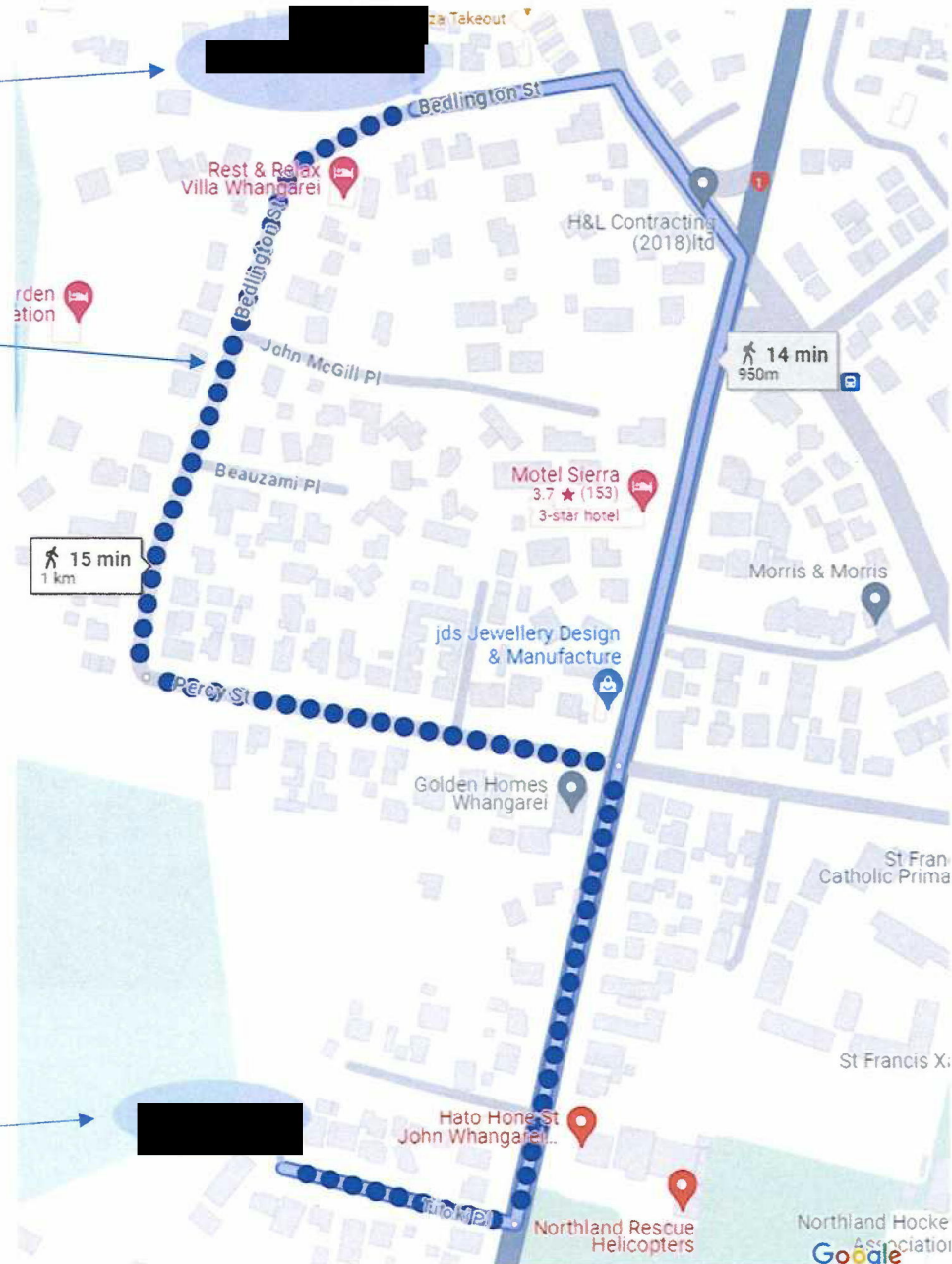
Ariel View –

The Complainant property at Whau Valley



This blue circle indicates how the complainant took usual walk to Titoki place with her dog Pink.

The Offending Dog owner's property and scene of attack at Titoki place, Kensington



Scene of Attack – [REDACTED] Titoki place (Offending Dog's House)

This red circle indicates where both dogs rushed through on to the street where the attack happened.



This circle indicates where the complainant and [REDACTED] dog got attacked and where [REDACTED] fell down.

ANIMAL MANAGEMENT PROSECUTION FILE

DOG OWNER

Dog Owner Details			
Title:	Mrs	Date of Birth	[REDACTED]
Name:	Sandra Meyst		
Address:	[REDACTED] Titoki Place, Kensington, Whangarei		
Home Phone:	[REDACTED]	Work Phone:	[REDACTED]
Mobile Phone:	[REDACTED]		
Email:	[REDACTED]		
Place of work:	[REDACTED]		

Dog Owner Statement	
CAUTION	
I have been advised of the following:	
i.	I have the right not to make a statement and to remain silent;
ii.	I have the right to speak with a lawyer without delay and in private before deciding whether to answer questions;
iii.	That anything I say will be recorded and may be used as evidence.
I understand this Caution and my rights and I am prepared to make a statement.	
On the (date)	at approximately (time)
24/5/24.	16:00 After 16:00
I was at (place)	
[REDACTED] Titoki Place, outside the gate.	
What happened?	
My name is Sandra Meyst i live at [REDACTED] Titoki Place, i have owned Billy who is a Boxer, male dog for about 5 years now. Billy is a bit frightened towards men. He shaved up at our house a few years.	

5

ANIMAL MANAGEMENT PROSECUTION FILE

DOG OWNER

Am

ago where i then got him registered under my name as no one claimed him. On the 24th of May 2024 ~~erand~~ just past 16:00 My daughter came to pick up her dog and we stood ~~outside in the~~ front of the property talking to each other. I heard the dogs bark on the porch where i ~~stood~~ was on the inside of the house at the front door and my daughter on the outside of the front door. We talked to each other, when i heard barking coming ~~front~~ from the outside of the front property. My daughter then ran outside towards the ~~As~~ barking and i followed, When i arrived on the street my daughter had already had her dog Ella by the collar. My dog Bittie was lurking on the side close to me ~~and my do~~ and i yelled to him to go inside, and he then went back inside the property. I then went to the [REDACTED] as [REDACTED] was in shock and offered to helped where [REDACTED] was sitting down.

Signature

Amant

ANIMAL MANAGEMENT PROSECUTION FILE

DOG OWNER

Br

What happened

I also noticed that [redacted] hand was bleeding, I said to [redacted] what happened and asked if we can help [redacted]. The [redacted] ~~did not~~ said ~~no response~~ ~~response~~ at the time. I offered for [redacted] to come inside and [redacted] said that [redacted] will not come near the dogs and will just sit outside. [redacted] agreed for me to have a look at [redacted] wands, which I then did. I then went back inside to get products to clean [redacted] wand which I then did when I came back out. We offered to take [redacted] to seek medical treatment and [redacted] refused. The [redacted] then asked me who was the big dog that circled [redacted] when this happened, I replied that is my dog is our dog he was a stray. I also told [redacted] who the other dog was and that it belongs to my daughter. I offered to look at [redacted] dog to see if there was any injuries but did not notice anything at the time.

Signature

B. Smyth

DOG OWNER

I offered to drive [REDACTED] home but [REDACTED] also declined and said *hm* that [REDACTED] will ~~back~~ walk back home with [REDACTED] dog. The [REDACTED] then looked at the letterbox and advised that [REDACTED] will be making a complaint. I replied to [REDACTED] that we are [REDACTED] and said goodbye. Me and my daughter went to talk to the neighbour as I saw [REDACTED] was standing there the whole time after the incident. The neighbour informed me when I asked [REDACTED] that Billie did not engage in the attack, and ~~was~~ was watching it happen.

Signature

*[Signature]**h*

ANIMAL MANAGEMENT PROSECUTION FILE

DOG OWNER



DOG DETAILS: DOG 1					
Name:	Billie			Dog ID:	72878
Breed:	Boxer X				
Colour:	Brown				
Gender:	male			De-sexed:	Yes
Age:		Years		Months	Microchip No: 953010002897860.
Registration:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Year:		Council: WDC.
Notes:					

DOG DETAILS: DOG 2					
Name:				Dog ID:	
Breed:					
Colour:					
Gender:				De-sexed:	
Age:		Years		Months	Microchip No:
Registration:	<input type="checkbox"/> Yes <input type="checkbox"/> No		Year:		Council:
Notes:					

Declaration

I have read this statement and it is true and correct.

OR

I have had this statement read back to me by _____ and it is true and correct.

Print Name: Sandra Meyst

Signature: S Meyst Date: 30/5/24

Statement recorded at: Panora

AMO Name: Charm Green AMO Number: 204

AMO Signature: Reu Date and Time: 30/5/24 17:18



Date; 30/5/24



Forum North, Private Bag 9023
Whangarei 0148, New Zealand
P +64 9 430 4200
F +64 9 438 7632
E mailroom@wdc.govt.nz
www.wdc.govt.nz

Dog Owners Full Name; Sandra Jane Meysl-

Physical Address; [Redacted] Titoki Place
Kerangton, Whangarei 0112

D.O.B; [Redacted]

Contact Number; [Redacted]

RIGHTS CAUTION

I have been advised of the following:

- I have the right not to make a statement and to remain silent;
- I have the right to speak with a lawyer without delay and in private before deciding whether to answer questions;
- That anything I say will be recorded and may be used as evidence.

I understand this caution and my rights / I have had these rights explained to me.

Sign; [Signature]

I formally claim and request the release of my dog(s) named; Billie

I am willing to comply with all conditions of release imposed by the Whangarei District Council.

Sign; [Signature]

Witnessed by AMO; [Signature]

ANIMAL MANAGEMENT PROSECUTION FILE

DOG OWNER



Dog Owner Details			
Title:		Date of Birth	14/04/1995
Name:	Jessica Meyst		
Address:	[redacted] Weaver Street, Wharar Valley		
Home Phone:	[redacted]	Work Phone:	
Mobile Phone:	[redacted]		
Email:	[redacted]		
Place of work:	[redacted]		

Dog Owner Statement	
CAUTION	
I have been advised of the following:	
<ul style="list-style-type: none"> i. I have the right not to make a statement and to remain silent; ii. I have the right to speak with a lawyer without delay and in private before deciding whether to answer questions; iii. That anything I say will be recorded and may be used as evidence. 	
I understand this Caution and my rights and I am prepared to make a statement.	
On the (date)	at approximately (time)
24/5/24	16:30pm
I was at (place)	
[redacted] Titoki Place, Kensington	
What happened?	
<p>My name is Jessica Meyst, i have owned Elba for about 5 years now since she was a puppy. Elba has never really really attacked another dog or a person before, she is usually a friendly dog, but does sometimes get a bit territorial</p>	

not ~~for~~ or resulted in serious injuries
any dog with right have been

and

[Handwritten signature]

ANIMAL MANAGEMENT PROSECUTION FILE

DOG OWNER

when other dogs are involved. Ella is a tan Staffy, female dog. I got to my mums house on Friday around 16:15. I remembered that i did not close ~~the~~ the small gate at the front of the property, but did not think much of it as the dogs were both inside of the house as they usually are. I stood at the front door and realised that both of the dogs were then out in the garden close to me where i can see them. As i was busy talking to my mum i noticed a [REDACTED] with [REDACTED] dog passing the property. I then saw Ella running through the small gate with Billy following her, Ella then went straight for the small dog and attacked it. I got to her very quickly and grabbed her away as soon as i can. At this stage Billy was circling the incident and stood watching close to where i stood. I saw the ~~elderly~~ [REDACTED] put [REDACTED] hand in between the dog and attack and noticed afterwards that it was covered

Signature



ANIMAL MANAGEMENT PROSECUTION FILE

DOG OWNER

in blood. My mom and dad also came out at this time and took both dogs away and put them inside of the house straight away. My mom went back inside the house and got a first aid kit while i stayed with the [REDACTED] outside. I noticed that the neighbour saw what happened the entire time as [REDACTED] was standing on the lawn. My mom cleaned the [REDACTED] wounds and i offered support where i can. We offered to take [REDACTED] to seek medical attention after we cleaned [REDACTED] wounds but the [REDACTED] declined our offer. The [REDACTED] then advised us that [REDACTED] will be putting in a complaint. [REDACTED] then took [REDACTED] dog and left. I went to the neighbour at [REDACTED] Titoki Place as [REDACTED] saw what happened and [REDACTED] said that [REDACTED] will do a witness statement as well.

Signature

ANIMAL MANAGEMENT PROSECUTION FILE

DOG OWNER



DOG DETAILS: DOG 1					
Name:	Ella			Dog ID:	74656
Breed:	Staffy.				
Colour:	Tan				
Gender:	F			De-sexed:	Yes.
Age:	5	Years		Months	Microchip No: 953010002906254.
Registration:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Year:		Council: WDC.
Notes:					

DOG DETAILS: DOG 2					
Name:				Dog ID:	
Breed:					
Colour:					
Gender:				De-sexed:	
Age:		Years		Months	Microchip No:
Registration:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Year:		Council:
Notes:					

Declaration

I have read this statement and it is true and correct.

OR

I have had this statement read back to me by Clinton Crause and it is true and correct.

Print Name: Jessica Meyst

Signature: [Signature] Date: 30/05/2024

Statement recorded at: Pound.

AMO Name: Clinton Crause AMO Number: 264

AMO Signature: [Signature] Date and Time: 30/5/24



Date; 30/5/24

Forum North, Private Bag 9023
Whangarei 0148, New Zealand
P +64 9 430 4200
F +64 9 438 7632
E mailroom@wdc.govt.nz
www.wdc.govt.nz

Dog Owners Full Name; Jessica Meyst

Physical Address; [REDACTED] Weaver Street

D.O.B; [REDACTED]

Contact Number; [REDACTED]

RIGHTS CAUTION

I have been advised of the following:

- i. I have the right not to make a statement and to remain silent;
- ii. I have the right to speak with a lawyer without delay and in private before deciding whether to answer questions;
- iii. That anything I say will be recorded and may be used as evidence.

I understand this caution and my rights / I have had these rights explained to me.

Sign; [Signature]

I formally claim and request the release of my dog(s) named;
Ella Meyst

I am willing to comply with all conditions of release imposed by the Whangarei District Council.

Sign; [Signature]

Witnessed by AMO; Clinton Crause (264)

Animals

Ci...

Ci Animal Information

Ci...

2

Animal ID ▾	Animal Name	Animal Class	Animal Type	Breed
72878	Billie	Pet	Pet	BOXE

0

Owner

Name ID

Given Names

Name

Date Ended

Safety Alert

Protected Status

Type

305978

Sandra Jane

Meyst

False

False

CiA Requests

Ci Infringements

Reference ID	Sub-Category Description	Detail	Infringement ID	Infringement Number
AC221989	Dog attack	Dog attack. Dogs vs dog - I	441953	D510717
AC2313247	Other dog issues	1 x large brown Mastiff do		

Ci Requests

Ci Request ID	Application Id	Full Details
---------------	----------------	--------------

Document Set ID: 1437838
Version: 1, Version Date: 14/06/2024

Ci...

Ci Animal Information

Ci...

1

Animal ID	Animal Name	Animal Class	Animal Type	Breed
74656	Ella	Pet	Pet	SBTE

0

Owner							 ...
Name ID	Given Names	Name	Date Ended	Safety Alert	Protected Status	Type	
548162	Jessica Rose Ellen	Meyst		False	False		

CiA Requests

Ci Infringements

Reference ID	Sub-Category Description	Detail
AC221989	Dog attack	Dog attack. Dogs vs dog - :

Infringement ID	Infringement Number
441952	D510716

Ci Requests

Ci Request ID	Application Id	Full Details
---------------	----------------	--------------



Dog Incident

☒ WHANGAREI DISTRICT

PEN #

CRM #

Officer

Date 24 / 05 / 24 S M T W T **F** S

Dispatch Number 0270

Time received 1825

Actioned

Arrived

Completed

Complainants Name

Address

Phone Number

Email

Complainant to be advised? ☒ Yes

Time / date contacted

Dog(s) are at TIKOI PLACE, KENSINGTON, WHANGAREI

Dog Owner Name

Address

Phone Number

DOB

Type of complaint:

☒ Attack☐ Patrol☐ Into Refuse☐ Rushing☐ Collection☐ Trap☐ Wandering☐ Revisit☐ Worrying Stock☐ Barking☐ Unregistered☐ Conditions

Action:

☐ Barking Notice Served☐ Seizure/Impounded☐ Infringements Issued☐ Revisit Required

Complaint I WAS TAKING MY DOG FOR A WALK & 2 DOGS WERE CHASING MY DOG & ATTACKED HIM, ALSO BIT ME AS WELL. IT HAPPENED ON TIKOI PLACE

Dog Details:

Tech One ID

Registration Number

☐ Male ☐ Female

Name

Microchip

Breed

Result

Colour

Result Date / /

Impound Picture loaded into Database

☐

Date Uploaded / /

Canine Health Check:

Body Score 1-5: ☐ Very Poor☐ Poor☐ Normal☐ + Weight☐ ++ WeightDemeanor: ☐ Normal☐ Timid☐ Aggressive☐ OtherGeneral Body: ☐ Healthy☐ Poor☐ Wounds☐ Other

Returned to Owner / /

Time

Receipt Number

Notes:

OFFICER 251 CALLED [REDACTED] AT 1847. COMPLAINANT ADVISED 2 LARGE DOGS PERHAPS STAFFIE X ATTACE [REDACTED] & [REDACTED] DOG WHILE OUT WALKING. BOTH OF THEM WERE BITTEN. OFFICER ADVISED COMPLAINANT THAT AN AMO WILL CONTACT HER IN THE MORNING TO GET FURTHER INFO & [REDACTED] SAID THAT WILL BE GOOD FOR [REDACTED]. AS [REDACTED] ADVISED THE OWNERS OF THE DOGS THAT [REDACTED] WILL BE REPORTING THEM.

25/5/24 - 11:20 AMO 264.

Called complainant and arranged to take a statement at 12:00.

1x dog registered to [REDACTED] Titoki Place (offending dog property)
Billie - Boxer X
Brown
Male.



Dog Incident

☐ WHANGAREI DISTRICT

PEN #

CRM #

AC242 0608

Officer 264

Date 24/5/24 S M T W T F S

Dispatch Number

Time received 17:38 Actioned 17:40

Arrived

Completed

Complainants Name

Address

Phone Number

Email

Complainant to be advised? ☐ Yes

Time / date contacted

Dog(s) are at [redacted] Titoki Place, Kensington

Dog Owner Name

Address

Phone Number

DOB

Type of complaint:

☒ Attack☐ Patrol☐ Into Refuse☐ Rushing☐ Collection☐ Trap☐ Wandering☐ Revisit☐ Worring Stock☐ Barking☐ Unregistered☐ Conditions

Action:

☐ Barking Notice Served☐ Seizure/Impounded☐ Infringements Issued☐ Revisit Required

Complaint [redacted] was walking [redacted] dog in Titoki place & got attacked and bit by two dogs stemming out of the address. Dog attacked as well.

Dog Details:

Tech One ID

Registration Number

☐ Male☐ Female

Name

Microchip

Breed

Result

Colour

Result Date / /

Officers Comments

Canine Health Check:

Body Score 1-5: ☐ Very Poor☐ Poor☐ Normal☐ + Weight☐ ++ WeightDemeanor: ☐ Normal☐ Timid☐ Aggressive☐ OtherGeneral Body: ☐ Healthy☐ Poor☐ Wounds☐ Other

Returned to Owner / /

Time

Receipt Number

AMO Property Inspection Checklist



Property inspection for: ☐ Section 71 ☐ Adoption

Name: Sandra Meyst

Address: Titoki Place, Kensington

Contact: [Redacted]

Date of Inspection: 1/6/24

Officer: 264

Number of Dogs: 1

Dog #1:	<u>Billie</u>	ID:	<u>72878</u>
Dog #2:		ID:	
Dog #3:		ID:	
Dog #4:		ID:	

Type of Dwelling: ☒ House ☐ Unit ☐ Farm ☐ Other: _____

Is the driveway shared? ☐ Yes ☒ No

Is the property large enough for the dog to exercise in? ☒ Yes ☐ No

Is there an outside fenced area available to securely contain the dog? ☒ Yes ☐ No

Is the fencing appropriate for the breed of dog? ☒ Yes ☐ No

Is the fencing structure sufficient to stop the dog from digging out? ☒ Yes ☐ No

Is the fencing structure sufficient to stop the dog from forcing its way out? ☒ Yes ☐ No

Is there dog free access to the front door? ☐ Yes ☒ No

Is there sufficient shade and shelter within the property? ☒ Yes ☐ No

Is there water available? ☒ Yes ☐ No

Where is the dog normally kept? Inside Dwelling ☒ Outside ☐ Kennel ☐

Is the Kennel: Draft free? ☐ Yes ☐ No Kept clean? ☐ Yes ☐ No

On a hard surface? ☐ Yes ☐ No Well drained? ☐ Yes ☐ No

Easy to clean? ☐ Yes ☐ No Exposed to the sun? ☐ Yes ☐ No

Is a tether required? ☐ Yes ☐ No Is the tether secure? ☐ Yes ☐ No

Are there sufficient visual barriers to stop the dog been over stimulated? ☒ Yes ☐ No

Are there any welfare concerns? ☐ Yes ☒ No

This application has been: Approved ☒ Declined ☐ Comments: _____

AMO Property Inspection Checklist



Property inspection for: ☐ Section 71 ☐ Adoption

Name: Jessica Meyst

Address: [REDACTED] Weaver Street, Whanau Valley

Contact: [REDACTED]

Date of Inspection: 1/6/24

Officer: 254

Number of Dogs: 1

Dog #1:	<u>Ella</u>	ID:	<u>74656</u>
Dog #2:		ID:	
Dog #3:		ID:	
Dog #4:		ID:	

Type of Dwelling: ☒ House ☐ Unit ☐ Farm ☐ Other: _____

Is the driveway shared? ☐ Yes ☒ No

Is the property large enough for the dog to exercise in? ☒ Yes ☐ No

Is there an outside fenced area available to securely contain the dog? ☒ Yes ☐ No

Is the fencing appropriate for the breed of dog? ☒ Yes ☐ No

Is the fencing structure sufficient to stop the dog from digging out? ☒ Yes ☐ No

Is the fencing structure sufficient to stop the dog from forcing its way out? ☒ Yes ☐ No

Is there dog free access to the front door? ☐ Yes ☒ No

Is there sufficient shade and shelter within the property? ☒ Yes ☐ No

Is there water available? ☒ Yes ☐ No

Where is the dog normally kept? Inside Dwelling ☒ Outside ☐ Kennel ☐

Is the Kennel: Draft free? ☐ Yes ☐ No Kept clean? ☐ Yes ☐ No

On a hard surface? ☐ Yes ☐ No Well drained? ☐ Yes ☐ No

Easy to clean? ☐ Yes ☐ No Exposed to the sun? ☐ Yes ☐ No

Is a tether required? ☐ Yes ☐ No Is the tether secure? ☐ Yes ☐ No

Are there sufficient visual barriers to stop the dog been over stimulated? ☒ Yes ☐ No

Are there any welfare concerns? ☐ Yes ☒ No

This application has been: Approved ☒ Declined ☐ Comments: _____

Officer notes: Officer #264

25th May 2024 > 11:30

Called the complainant and arranged to take a statement at 12:00.

Statement attached.

One of the offending dogs is registered to [REDACTED] Titoki place and the other is registered to [REDACTED] Weaver Street in Whau Valley.

Sandra MEYST - [REDACTED] Titoki Place

Billie (72878)

Boxer X

Brown

Male

Jessica MEYST - [REDACTED] Weaver Street

Ella (74656)

STBL

Tan

Female

I called Billie's owner Sandra and advised her that her dog has been involved in a dog attack and she did acknowledge that this happened on Friday the day before.

Sandra advised me that her dog did not attack and that it was only her daughter's dog Ella, she also mentioned that her dog did however come off the property with Ella.

I advised Sandra that we do however have reasonable grounds to believe that both dogs were involved, and therefore we will need to impound both of them till we can prove otherwise.

She was not happy and kicked off and did not want to listen to what I was trying to explain to her and how the process works.

The phone call was ended.

29/5/24 > 11:16

I called Jessica who is the daughter of Sandra to explain what happened on Friday and try to get a solution to get the dogs impounded.

Jessica was fine to talk to and understood the procedure and said that she will talk to her mother.

Jessica texted me at 11:55 and confirmed that she has spoken with her mother and they will bring the dog in on the 30/5/24 at 15:30.

30/5/2024 >15:45

Sandra and Jessica came in to the pound to both take statements and to hand over both of the offending dogs.

Jessica took her statement and we continued with her mother Sandra, who was not very pleased with the whole process and ended up not taking a statement at all and stormed out the office after management spoke with them.

Sandra then came back in and took her statement and i impounded both dogs.

Dog owner Statements & Claim forms attached

I will go by the Witness's house and gather more information as to what they saw happened that day.

31/5/24 > 08:30

Dog History attached for Billie & Ella

10:35 >

I Called the witness [REDACTED] and informed [REDACTED] that both the complainant and offending dog owners has given me [REDACTED] details and i would like to get a statement from her with regards to the attack last Friday.

[REDACTED] advised that [REDACTED] is happy to give me a statement over the hone as [REDACTED] is busy looking after a baby at them moment.

[REDACTED] advised that [REDACTED] saw both of the dogs who was inside the property at [REDACTED] Titoki place running out of the front gate on to the street and next thing the smaller brown dog attacked the small dog which was walked on a leash by an [REDACTED] who was passing [REDACTED] Titoki Place.

In reply please quote:

Or ask for Peter Banks - Manager Animal Control

10 June 2024

Sandra Meyst

Dear Sandra

Notice of Classification of a Menacing Dog – Section 33A, Dog Control Act 1996

Dog ID:	72878	Primary Breed	Boxer Cross
Microchip No:	953010002897860	Primary Colour	Brown
Name:	Billie		
Sex:	M		
Age:	7 years		
Address where dog is usually kept: [REDACTED] Titoki Place, Kensington, Whangarei, 0112			

This is to notify you* that the above mentioned dog has been classified as a menacing dog under section 33A of the Dog Control Act 1996.

This is because Whangarei District 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:

Billie escaped his address was involved in a attack alongside another dog Ella that took place infront of [REDACTED] Titoki Place on the 24th May 2024 which lead to another dog and dog owner being injured.

I hereby notify you that the dog described herein has been classified as a MENACING DOG with effect from the date of issue of this notice.

A summary of this classification and your right to object is provided on the reverse.

Please note:

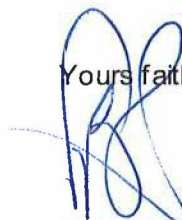
- Your dog must now be muzzled when it is at large or in any public place or private way
- Your dog must be kept under control at all times

Yours faithfully



Zane Kumar
Bylaws Enforcement Co-ordinator

Yours faithfully



Peter Banks
Manager Animal Management

*For the purposes of the Dog Control Act 1996, you are the owner of a dog if:

- You own the dog; or
- You have the dog in your possession (otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, or damage, or distress, or for the sole purpose of restoring a lost dog to its owner); or
- You are the parent or guardian of a person under 16 who is the owner of the dog and who is a member of your household living with and dependent on you.

Served on the 13/6/24 at 11:57 to
Sandra's husband. RtmanA

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 Whangarei District Council, produce to the Whangarei District Council, within 1 month after receipt of this notice, a certificate issued by a veterinarian 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 Whangarei District Council, produce to the Whangarei 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 Whangarei District Council in accordance with the reasonable instructions of the Whangarei 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 Whangarei 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 E

86

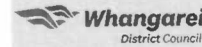
■■■■ confirmed that only one of the dogs was involved and the bigger dog was walking around them but did not physically do anything at the time.

■■■■ then advised that the daughter (Jessica) came and took her dog away very quickly and the mother (Sandra) took them both inside the house.

1/6/24 > 9:30

I visited ■■■■ Weaver and ■■■■ Titoki Place to do a property of both dogs property's.

Photos and Property Inspection Check List attached.

Appendix E

Private Bag 9023, Whangarei 0143

DOG INFRINGEMENT NOTICEIssued under authority of section 66
of the dog control act 1996

The Infringement fee is payable within 28 days after the service of this notice.

Notice No.: **D514611**

Name of dog owner:	(forenames) <u>Sandra</u>	(surname) <u>Meyst</u>
Street:	<u>Titoki Place</u>	
Suburb:	<u>Kensington</u>	
Locality:	<u>Whangarei</u>	
Date of Birth:		

ALLEGED INFRINGEMENT OFFENCE DETAILS:

Date:	<u>24/5/24</u>	Time:	<u>17:00</u>	Day:	M T W TH F S SU
Street:	<u>Titoki Place</u>				
Suburb:	<u>Kensington</u>				
Locality:	<u>Whangarei</u>				

BOX TICKED TO INDICATE ALLEGED OFFENCE:

- ☐ Section 36A (6) - Failure to microchip dog
☐ Section 42 - Failure to register dog
☒ Section 52A - Failure to keep dog controlled or confined
☐ Section 53 (i) - Failure to keep dog under control
☐ Other: _____

Additional Details of Offence (if any):

Reg. No/Description of dog: Billie - 72878

Officer Number:

INFRINGEMENT FEE PAYABLE:\$ 200

Please present this notice when making payment:

PAYMENT OF INFRINGEMENT FEE: Payable within 28 days after 14/06/24

Please note that if you have been served with this Infringement Notice for failing to register a dog, payment of the infringement fee does not include the dog registration fee. You will still need to register your dog without delay, and failing to do so may result in the issue of further infringement notices.

Dog Impound

Pen# <u>2</u>
CRM# <u>AC2420623</u>

ENTERED
30/5/24

Officer: 264 Date: 30/5/24

S M T W T F S

Time: 18:17

Complainants Name: _____

Address: _____

Phone Number: _____

Dog(s) found at: bought in to pound.

Dog Owner Name: Sandra Meyst

Address: Titoki Place, Kensington

Phone Number: _____

DOB: _____

Type of Complaint:

- | | | |
|--|---------------------------------------|---|
| <input checked="" type="checkbox"/> Attack | <input type="checkbox"/> Collection | <input type="checkbox"/> Trap |
| <input type="checkbox"/> Rushing | <input type="checkbox"/> Revisit | <input type="checkbox"/> Worrying Stock |
| <input type="checkbox"/> Wandering | <input type="checkbox"/> Unregistered | <input type="checkbox"/> Conditions |
| <input type="checkbox"/> Patrol | <input type="checkbox"/> Into Refuse | <input type="checkbox"/> Surrender |

Picture attached: ☒

Is the Dog in Tech One?

Yes ☒

No ☐

Fees quoted Impound: \$159 Registration: - Microchip: - Sustenance: \$26

Dog Details:

Tech One ID: 72878

Registration Number: 12007

Name: Billie

Microchip: 953010002897860

Breed: Boxer x

☒ Male ☐ Female

Colour: Brown

☒ Desexed ☐ Entire

Result:

- | | |
|--|--|
| <input type="checkbox"/> Owner Collected | <input type="checkbox"/> Rehome (Wandering Angels) |
| <input type="checkbox"/> Euthanized | <input type="checkbox"/> Adoption (Armourguard) |

Communication Info:

569 issued SI000291

Canine Health Check:

- | | | | | | |
|-------------------|---|--------------------------------|--|-----------------------------------|---|
| Body Score 1 - 5: | <input type="checkbox"/> Very Poor | <input type="checkbox"/> Poor | <input checked="" type="checkbox"/> Normal | <input type="checkbox"/> + Weight | <input checked="" type="checkbox"/> ++ Weight |
| Demeanor: | <input checked="" type="checkbox"/> Normal | <input type="checkbox"/> Timid | <input type="checkbox"/> Aggressive | <input type="checkbox"/> Other | |
| General Body: | <input checked="" type="checkbox"/> Healthy | <input type="checkbox"/> Poor | <input type="checkbox"/> Wounds | <input type="checkbox"/> Other | |

Name of person collecting dog: Jessica Meyst Type of ID sighted: Known to 264

Result Date: 05/6/24

Time: 16:28

**NOTICE OF SEIZURE
AND IMPOUNDING OF DOG**
Pursuant to Sections 69 and 69A of The Dog Control Act 1996

Date: 30 / 05 / 24 Time: 17:23 Notice No.: SI000291

Name: (Mr/Mrs/Miss/Ms) Sandra Mayst
Address: [REDACTED] Titoki Place
Kensington Postcode: 0112

Dog ID	Dog Name	Breed	Colour	Sex	Microchip No.
72878	Billie	Boxer X	Brown	m	95301000 2891860

This is to notify you that the dog described above has been seized and impounded under the Dog Control Act 1996 for the following reason(s):

☐ Section 32 - Failing to comply with dangerous classification ☒ Section 57 - Dog attacking person or animal
☐ Section 33EC - Failing to comply with menacing classification ☐ Section 57A - Dog rushing at person, animal or vehicle
☐ Section 42 - Failing to register a dog ☐ Section 60 - Dog running at large among stock or poultry
☐ Section 52A - Failure to control or confine
☐ OTHER

Unless the dog is claimed and any fee paid within 7 days of the receipt of this notice, it may be sold, destroyed or otherwise disposed of pursuant to Section 69(2) of the Dog Control Act 1996.

You have until 4.00pm on 06/20/24 to claim your dog. Payment to be made by EFTPOS.

☐ As the dog is not currently registered the dog must be registered/microchipped/de-sexed before it will be released.
☐ As the dog is registered it will need to be microchipped/de-sexed before it will be released.
☒ As the dog has been seized pursuant to section 57 or 57A, if you claim the dog after paying the fees the dog may be retained pursuant to section 71 of the Dog Control Act 1996 on the basis that it is a threat to public safety. A notice will be served to you pursuant to section 71 of the Dog Control Act 1996.

Fees:

Registration Impounding
Microchipping Sustenance \$ per night

Your dog is currently housed at the following location:
Whangarei District Council Animal Shelter, 109 - 115 Kioreroa Road, Whangarei

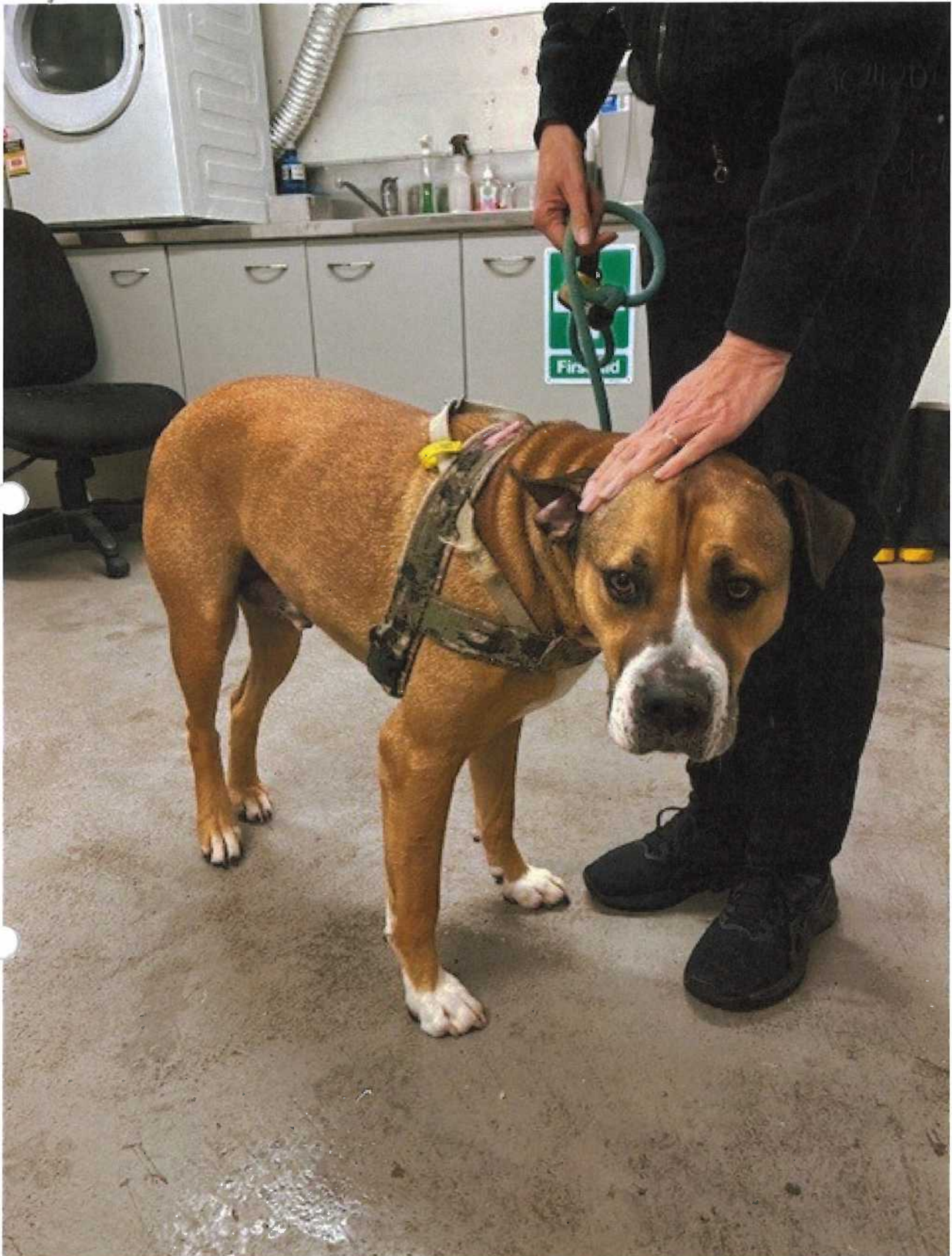
AMO Name: Clinton AMO Number: 264

JOP 702AL

Date: 30/05/2024
Time: 18:30

Photo taken/processed by:
Photo description:

Officer 264
Billie (72878)



Appendix E

Date: 30/05/2024

Time: 18:30

Photo taken/provided by:

Photo description:

Officer 264

Billie (72878)



Appendix E

Released

Daily Health Sheet

Tick ✓ for "no issues" or cross X for "issues" and explain in notes. Any changes relating to health or behavior please notify Management promptly.

Kennel # 2	Dogs Name Billie	Section DCA 57	Gender M	Age 5	Breed Boxer x	Colour Brown
Caution Timid, owner bought him inside						
Feeding				Enrichment		
Microchip scanned <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, why?			Dog Photographed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, why?		CRM:	

Officer	Date	Stools	Appetite	Behavior	Health	Appearance	Body Score	Notes
264	30/5			Timid	✓	✓	9	
NP	31/5	x	✓	✓	✓	✓	9	
NP	1/6	✓	✓	✓	✓	✓	9	
NP	2/6	✓	✓	✓	✓	✓	9	
NP	3/6	✓	✓	✓	✓	✓	9	
NP	4/6	✓	✓	✓	✓	✓	9	
NP	5/6	✓	✓	✓	✓	✓	9	

Outcome

Daily Health Sheet

Tick ✓ for "no issues" or cross X for "issues" and explain in notes. Any changes relating to health or behavior please notify Management promptly.

<u>Kennel #</u>	<u>Dogs Name</u>	<u>Section DCA</u>	<u>Gender</u>	<u>Age</u>	<u>Breed</u>	<u>Colour</u>		
<u>Caution</u>								
<u>Feeding</u>				<u>Enrichment</u>				
Microchip scanned <input type="checkbox"/> Yes <input type="checkbox"/> No, why?		Dog Photographed <input type="checkbox"/> Yes <input type="checkbox"/> No, why?		CRM:				
<u>Officer</u>	<u>Date</u>	<u>Stools</u>	<u>Appetite</u>	<u>Behavior</u>	<u>Health</u>	<u>Appearance</u>	<u>Body Score</u>	<u>Notes</u>
							9	
							9	
							9	
							9	
							9	
							9	
							9	
<u>Outcome</u>								



In reply, please quote

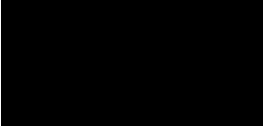
Hearing of your objection

Or ask for

Zane Kumar

03/07/2024

Sandra & Robert Meyst



Te Iwitihi, 9 Rust Avenue, Whangārei

Private Bag 9023, Te Mai,

Whangārei 0143, New Zealand

P +64 9 430 4200

E mailroom@wdc.govt.nz

www.wdc.govt.nz/ContactUs

Dear Sandra and Robert,

Hearing of your objection to Billie menacing classification

The purpose of this letter is to acknowledge that Council has received your objection to the menacing classification applied to your dog 'Billie' by email on 14 June 2024 served on you 13/06/2024. A hearing date is now scheduled as follows:

- Your objection will be heard by the Exemptions and Objections committee at **9:30am Tuesday 30 July 2024.**
- The hearing will be held in the Council Chambers, in Te Iwitihi (Civic Centre), in Rust Avenue, Whangārei.

The Council Chambers are located on the ground level, in the new Civic Center building on Rust Avenue. You are welcome to sit in the gallery until the meeting starts.

You may wish to bring a support person with you, and it is helpful to the committee if the submission you wish to make is in writing.

If possible, please bring additional copies of your submission for the committee and staff in attendance (approximately 9). If you are not able to make any copies of the submission, then please let the Senior Democracy Advisor know on the day (ask reception for this person).

The Council Officer's/contractors report will be sent out to you before the meeting so that you are aware of the information that the committee will have in front of them.

The Chairperson directs the procedure of the hearing but broadly hearings of objections to disqualifications follow the below approach:

1. The Chairperson opens the proceedings by introducing the committee and asks parties to introduce themselves and their witnesses.

2. Staff will briefly outline the objection.
3. The Council Officer's/contractor's report, which has been circulated prior to the hearing, is taken as read.
4. The objector (you) presents their case, including any supporting evidence from witnesses. It is helpful to the Committee if the objector's main points or a summary of their case is provided in writing (this is optional, not a requirement).
5. Council officer's/contractors will speak on their report and is available to answer questions.
6. Only the objector is given the opportunity to have a right to reply. This gives you the chance to clarify matters raised in the Council officer's/contractor's report but not to present new evidence.
7. Final questions of clarification.
8. The Chairperson adjourns the hearing to deliberate on its decision based on the evidence submitted, following which the objector will be notified in writing of the decision.

Yours faithfully



Reiner Mussle
Manager Health and Bylaws

Zane Kumar

From: Zane Kumar
Sent: Wednesday, 3 July 2024 2:27 pm
To: Sandra Meyst
Subject: RE: Objection to menacing Sandra and Robert Meyst, hearing 30 July 2024

Importance: High

Afternoon Sandra,

I apologise the letter attached previously was from the wrong template and referred to disqualification again. I apologise again about this. I again confirm this is in relation to Menacing classification status and not disqualification.

I am sincerely sorry about that.

I also again confirm the hearing of your objection to menacing classification is still 30th July at 9:30am here at the Council office.

Thank you

Zane Kumar

Bylaws Enforcement Co-ordinator | Health & Bylaws Department

Whangarei District Council | Te Iwitihi, 9 Rust Avenue | Private Bag 9023, Te Mai, Whangarei 0148 | www.wdc.govt.nz

P 09 430 4200 | E zane.kumar@wdc.govt.nz

[Like us on Facebook](#)



From: Zane Kumar
Sent: Wednesday, 3 July 2024 11:15 am
To: Sandra Meyst [REDACTED]
Subject: Objection to menacing Sandra and Robert Meyst, hearing 30 July 2024
Importance: High

Good morning Sandra and Robert,

The purpose of this email is to acknowledge that Council has received your objection to your dog owner disqualification status by email on 14 June 2024 served on you 13/06/2024. A hearing date is now scheduled as follows:

- Your objection will be heard by the Exemptions and Objections committee at **9:30am Tuesday 30 July 2024.**
- The hearing will be held in the Council Chambers, in Te Iwitihi (Civic Centre), in Rust Avenue, Whangarei.

The Council Chambers are located on the ground level, in the new Civic Centre building on Rust Avenue. You are welcome to sit in the gallery until the meeting starts.

You may wish to bring a support person with you, and it is helpful to the committee if the submission you wish to make is in writing.

If possible, please bring additional copies of your submission for the committee and staff in attendance (approximately 9). If you are not able to make any copies of the submission, then please let the Senior Democracy Advisor know on the day (ask reception for this person).

The Council Officer's/contractors report will be sent out to you before the meeting so that you are aware of the information that the committee will have in front of them.

The Chairperson directs the procedure of the hearing but broadly hearings of objections to disqualifications follow the below approach:

1. The Chairperson opens the proceedings by introducing the committee and asks parties to introduce themselves and their witnesses.
2. Staff will briefly outline the objection.
3. The Council Officer's/contractor's report, which has been circulated prior to the hearing, is taken as read.
4. The objector (you) presents their case, including any supporting evidence from witnesses. It is helpful to the Committee if the objector's main points or a summary of their case is provided in writing (this is optional, not a requirement).
5. Council officer's/contractors will speak on their report and is available to answer questions.
6. Only the objector is given the opportunity to have a right to reply. This gives you the chance to clarify matters raised in the Council officer's/contractor's report but not to present new evidence.
7. Final questions of clarification.

The Chairperson adjourns the hearing to deliberate on its decision based on the evidence submitted, following which the objector will be notified in writing of the decision.

Thank you.

Zane Kumar

Bylaws Enforcement Co-ordinator | Health & Bylaws Department

Whangarei District Council | Te Iwitihi, 9 Rust Avenue | Private Bag 9023, Te Mai, Whangarei 0148 | www.wdc.govt.nz

P 09 430 4200 | E zane.kumar@wdc.govt.nz

[Like us on Facebook](#)



RESOLUTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following parts of proceedings of this meeting.

The general subject 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(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

1.	The making available of information would be likely to unreasonably prejudice the commercial position of persons who are the subject of the information. {Section 7(2)(c)}
2.	To enable the council (the committee) to carry on without prejudice or disadvantage commercial negotiations. {(Section 7(2)(i))}.
3.	To protect the privacy of natural persons. {Section 7(2)(a)}.
4.	Publicity prior to successful prosecution of the individuals named would be contrary to the laws of natural justice and may constitute contempt of court. {Section 48(1)(b)}.
5.	To protect information which is the subject to an obligation of confidence, the publication of such information would be likely to prejudice the supply of information from the same source and it is in the public interest that such information should continue to be supplied. {Section 7(2)(c)(i)}.
6.	In order to maintain legal professional privilege. {Section 2(g)}.
7.	To enable the council to carry on without prejudice or disadvantage, negotiations {Section 7(2)(i)}.

Resolution to allow members of the public to remain

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

Move/Second

"That _____ be permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of Item _____.

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because _____.

Note:

Every resolution to exclude the public shall be put at a time when the meeting is open to the public.