

# Exemptions and Objections Sub Committee Agenda

**Date:** Tuesday, 24 September, 2024

**Time:** 9:30 am

**Location:** Civic Centre, Te Iwitahi, 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 Committee 28 August 2024 5
  4. **Decision Reports / Whakatau Rīpoata**
    - 4.1 Objection to disqualification from dog ownership - QGT Rogers 9
  5. **Closure of Meeting / Te katinga o te Hui**

Recommendations contained in the agenda are not the decisions of the meeting.

Please refer to minutes for resolutions.

## ***Exemptions and Objections Committee - Terms of Reference***

### **Membership**

<b>Chairperson</b>	Councillor Ken Couper
<b>Members</b>	His Worship the Mayor Vince Cocurullo Councillors Deborah Harding, Patrick Holmes and Scott McKenzie
<b>Quorum</b>	<b>3</b>
<b>Meetings</b>	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:** Wednesday, 28 August, 2024  
**Time:** 11:30 a.m.  
**Location:** Civic Centre, Te Iwitahi, 9 Rust Avenue

**In Attendance**

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

**Also present**

Robert Meyst  
 Leonard Kaka  
 Reiner Mussle (Manager Health & Bylaws)  
 Zane Kumar (Bylaw Enforcement Coordinator)  
 Lesley House (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**

There were no apologies.

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

##### 3.1 **Minutes Exemptions and Objections Committee Meeting 30 July 2024**

**Moved By** Cr Scott McKenzie

**Seconded By** Cr Patrick Holmes

That the minutes of the Exemption and Objections Sub-Committee meeting held on Tuesday, 30 July 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**

#### 4. Decision Reports / Whakatau Rīpoata

##### 4.1 Sandra and Robert Meyst - Objection to menacing classification update

**Moved By** Cr Scott McKenzie

**Seconded By** Cr Deb Harding

That the Exemptions and Objections Committee:

1. Receives this update report.

**Carried**

*The Committee adjourned to deliberate on the objection.*

Procedural Motion:

**Moved By** Cr Scott McKenzie

**Seconded By** Cr Deb Harding

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

**Carried**

Following deliberations, the Committee resolved:

**Moved By** Cr Patrick Holmes

**Seconded By** Cr Deb Harding

That the Exemptions and Objections Sub-committee determines that the menacing classification imposed on the dog 'Bille' be rescinded.

**Carried**

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

#### 4.2 Leonard Kaka Objection to Probationary Ownership

**Moved By** Cr Ken Couper

**Seconded By** His Worship the Mayor

That the Exemptions and Objections Sub-committee hears the objection by Leonard Kaka to the classification as a probationary dog owner.

**Carried**

#### Procedural Motion:

**Moved By** Cr Ken Couper

**Seconded By** His Worship the Mayor

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

**Carried**

*The Committee adjourned to deliberate on the objection.*

Following deliberations, the Committee resolved:

**Moved By** Cr Patrick Holmes

**Seconded By** Cr Scott McKenzie

That the Exemptions and Objections Sub-committee determines that the probationary dog ownership classification imposed on Leonard Kaka is not upheld.

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

#### 5. Closure of Meeting / Te katinga o te Hui

The meeting concluded at 12.46pm.

Confirmed this 24<sup>th</sup> day of September 2024

Cr Ken Couper (Chairperson)





## 4.1 Objection to Disqualification of Dog Ownership

**Meeting:** Exemptions and Objections Committee

**Reporting officers:** Lesley House, Bylaw Enforcement Co-Ordinator  
 Zane Kumar, Bylaw Enforcement Co-Ordinator  
 Reiner Mussle, Manager Health and Bylaws

**Date of meeting:** Tuesday 24<sup>th</sup> September

Time	Hearing	Name
9.30am	Objection to dog owner disqualification	Quintonio George Tyrek Rogers

### 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 Quintonio George Tyrek Rogers to a disqualification from dog ownership.

### Background

Council issued Mr Rogers with a notice disqualifying him from dog ownership on the 22<sup>nd</sup> of August 2024 (Appendix A) for a period of 3 years from 24<sup>th</sup> April 2024 until 24<sup>th</sup> April 2027. This is due to Mr Rogers having received three infringements, relating to three separate occasions, within a twenty-four-month period.

Section 25 of the Dog Control Act 1996 ('the Act') states the foundations for disqualifying an owner.

#### 25 Disqualification of owners

- (1) A territorial authority must disqualify a person from being an owner of a dog if—
- (a) the person commits 3 or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months
- (1A) Subsection (1) does not apply if the territorial authority is satisfied that the circumstances of the offence or offences are such that—
- (a) disqualification is not warranted; or
  - (b) the territorial authority will instead classify the person as a probationary owner under section 21.

Section 26 of 'the Act' states the foundations of objecting to a disqualification from dog ownership:

Mr Rogers submitted an objection to his disqualification from dog ownership by email (Appendix B) on the 26<sup>th</sup> of August 2024

#### 26 Objection to disqualification

- (1) Every person disqualified under section 25—
- (a) may object to the disqualification by lodging with the territorial authority a written objection to the disqualification; and
  - (b) shall be entitled to be heard in support of the objection.
- (2) An objection under this section may be lodged at any time but no objection shall be lodged within 12 months of the hearing of any previous objection to the disqualification.
- (3) In considering any objection under this section, the territorial authority shall have regard to—
- (a) the circumstances and nature of the offence or offences in respect of which the person was disqualified; and
  - (b) the competency of the person objecting in terms of responsible dog ownership; and
  - (c) any steps taken by the owner to prevent further offences; and
  - (d) the matters advanced in support of the objection; and
  - (e) any other relevant matters.
- (4) In determining any objection, the territorial authority may uphold, bring forward the date of termination, or immediately terminate the disqualification of any person and shall give written notice of its decision, the reasons for it, and the right of appeal under section 27 to the objector.

Section 28 of 'the Act' states the effects of disqualification:

#### 28 Effect of Disqualification

- (1) Subject to this section, if a person is disqualified from owning a dog under section 25 the person must, —
- (a) within 14 days of the date on which notice of the decision is given to the person, dispose of every dog owned by the person: and
- (b) not subsequently be in possession of a dog at any time, except for the purpose of—
- (i) preventing a dog from causing injury, damage, or distress; or
- (ii) returning, within 72 hours, a lost dog to the territorial authority for the purpose of restoring the dog to its owner.

### Statutory Considerations

Section 26(4) gives the power to the Committee to consider the objection, which may **uphold**, **bring forward the termination date**, or **immediately terminate** the disqualification of Mr Rogers.

In making the decision, the Committee must consider the following:

- (a) the circumstances and nature of the offence or offences in respect of which the person was disqualified; and
- (b) the competency of the person objecting in terms of responsible dog ownership; and
- (c) any steps taken by the owner to prevent further offences; and
- (d) the matters advanced in support of the objection; and
- (e) any other relevant matters.

The Committee must give a written notice of its decision, the reasons for it, and the right to appeal under section 27 of ‘the Act’ as soon as practicable to Mr Rogers.

### Assessment

#### Nature of offences:

The disqualification of dog ownership for Mr Rogers is based on three separate incidents reported by members of the public to Councils animal management and enforcement contractor, Armourguard. On all three occasions, an infringement was issued for a failure to control and confine Mr Rogers dogs. Infringements and summary of incidents forming the basis for the disqualification:

<b>Date issued:</b>	<b>Infringement no:</b>	<b>Description:</b>
24/04/2024	D515237	Failure to keep dog controlled or confined
13/04/2023	D511392	Failure to comply with effects of classification of dog as menacing dog
15/09/2022	D510151	Failure to register dog

#### First incident – 24 April 2024 (Appendix C)

Armourguard were called by a resident of Church Street, Onerahi on the 24<sup>th</sup> of April 2024 regarding dogs kept at Mr Rogers address in Raurimu Avenue. The dogs were breaking through the hedge and coming onto the complainant’s property “stalking her whilst she was hanging out her washing so she could not enjoy her garden”.

The complainant stated that the dogs had also been going through Church Street onto Handforth Street where they allegedly terrified some children and had attacked their father.

On 24<sup>th</sup> April 2024 at 10am an Armourguard Officer met the complainant on her property to investigate the complaint. When they were about 3m from the fence/hedge separating the complainant's property from Mr Rogers property, a dog registered to Mr Rogers, "Onyx", came through the fence trying to attack. The Armourguard Officer shouted at the dog and ran at it wielding her bite stick. The dog ran back onto Mr Rogers address.

The police were called and accompanied the Armourguard Officer onto Mr Rogers address at 11am on 24<sup>th</sup> April 2024. Mr Rogers partner was spoken to about the incident, she said she knew Onyx had gotten out. She was informed that Mr Rogers would get an infringement for the incident. She said that she would be tying Onyx up in future and that Kainga Ora were going to put in a better fence.

### **Second incident – 13 April 2023 (Appendix D)**

On 6<sup>th</sup> May 2022, "Lucious", a dog registered to Mr Rogers was classified under section 33A of the Dog Control Act 1996 as menacing. Mr Rogers was required by Armourguard on behalf of Whangarei District Council, under Section 33E of the Act, to have Lucious desexed within 1 month of the classification (by 6<sup>th</sup> June 2022)

On 20 February 2023 an Armourguard Officer visited Mr Rogers address to determine whether Mr Rogers was complying with requirements of the menacing classification of "Lucious".

Lucious was heard barking inside the property and the Armourguard Officer believed puppies could be heard too. She spoke with Mr Rogers who confirmed that Lucious was still at the property together with Raider (who was seen on the front lawn) neither dog had been registered and Lucious had not been desexed.

On 20 February 2023 a letter was sent to remind Mr Rogers of the requirement to desex "Lucious".

### **Third incident – 15 September 2022 (Appendix E)**

Every year Armourguard review their dog registration records to determine which dogs previously registered have not been re-registered. It was discovered that Mr Rogers had not re-registered two dogs in his ownership, Lucious (ID #80255) and Raider (ID #79916).

Two infringements were issued on 15 September 2022 for failure to register each dog.

### **Any steps taken by the owner to prevent further offences**

Mr Rogers has now registered his three dogs 'Onix' #84093, 'Raider' #79916 and 'Lucious' #80255. The male dog Raider was desexed on 8<sup>th</sup> January 2022. Raider and Lucious have been microchipped.

### **Conclusion**

Under section 25 of 'the Act' Whangarei District Council must disqualify a person from being an owner of any dog if the person commits three or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months, unless the territorial authority is satisfied that the circumstances of the offence does not warrant a disqualification.

It is submitted that there is enough evidence on file to disqualify Mr Rogers from being a dog owner as there are three infringements issued on three separate occasions within a continuous period of 24 months, justifying the disqualification. Along with the fact that there is considerable history of previous issues with Mr Rogers dogs including issues with dogs wandering, rushing, showing menacing behaviour, attacking dogs and people, and barking. (Appendix F shows a summary of these incidents, further details can be provided on request)

**Recommendation**

That the Exemptions and Objections Committee hear the objection of Quintonio George Tyrek Roger's to his disqualification from dog ownership.

Following deliberations:

That the Exemptions and Objections Committee may **uphold, bring forward the termination date, or immediately terminate** the disqualification.

**Appendices**

Appendix A: Notice of disqualification

Appendix B: Letter of Objection

Appendix C: 24 April 2024 File

Appendix D: 13 April 2023 File

Appendix E: 15 September 2022 File

Appendix F: Mr Rogers dog related history

Appendix G: Confirmation of EOC hearing date.

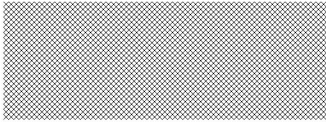




In reply please ask for Peter Banks Manager – Animal Management

7<sup>th</sup> August 2024

Quintonio George Tyrek Rogers



Te Iwitahi, 9 Rust Ave  
Whangarei 0110, New Zealand  
P +64 9 430 4200  
E [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)  
[www.wdc.govt.nz](http://www.wdc.govt.nz)

Dear Quintonio

**Disqualification as Dog Owner**

Please find attached a notice of disqualification from dog ownership pursuant to section 25 of the Dog Control Act 1996.

This follows the issue of three or more infringement offences (not relating to a single incident or occasion) to you within a continuous period of 24 months.

The infringementment notices that have been issued to you are set out below:

Date:	Infringement No:	Description:
24/04/2024	D515237	Failure to keep dog controlled or confined
13/04/2023	D511392	Failure to comply with effects of classification of dog as menacing dog
15/09/2022	D510151	Failure to register dog

The disqualification is for a period of 3 years from the date of the third infringement offence and so the disqualification will apply until 24<sup>th</sup> April 2027.

You are entitled to object to this disqualification and for your objection to be heard. Objections are heard by way of a formal hearing and conducted by a Council Committee. Should you wish to exercise your right of objection, further information is set out in the notification form attached.

Yours faithfully

A handwritten signature in black ink, appearing to read "Zane Kumar".

Zane Kumar  
Bylaws Enforcement Co-ordinator

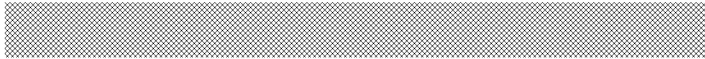
Whangarei District Council Notice of disqualification from dog  
ownership

r 2

*Section 25, Dog Control Act 1996*

To Quintonio George Tyrek Rogers

Address:



This is to notify you that you have been disqualified under section 25 of the Dog Control Act 1996 from owning any dog.

This follows—

- 3 or more infringement offences (not relating to a single incident or occasion) having been committed by you, within a continuous period of 24 months.

The disqualification will apply from 24<sup>th</sup> April 2024 until 24<sup>th</sup> April 2027.

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

Signature of officer of Whangarei District Council:

A handwritten signature in black ink, appearing to be 'J. B. Williams', written over a horizontal line.

Date:07/08/2024

Effect of disqualification

*Section 28, Dog Control Act 1996*

You are required to dispose of every dog owned by you within 14 days of the date of this notice.

However, you may not dispose of a dog—

- to a person who resides at the same address as you; or
- in a way that constitutes an offence against the Dog Control Act 1996 or any other Act.

You must not become the owner, even on a temporary basis, of any dog while you are disqualified. You may have possession of a dog only for the purpose of—

- preventing it from causing injury, damage, or distress; or



- returning, within 72 hours, a lost dog to a territorial authority for the purpose of restoring the dog to its owner.

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you—

- fail to dispose of every dog owned by you within 14 days of this notice; or
- at any time while disqualified, become the owner of any dog; or
- dispose of a dog owned by you—
  - to a person who resides at the same address as you; or
  - in a manner that constitutes an offence against the Dog Control Act 1996 or any other Act.

If you are convicted of the first or second of these offences, your period of disqualification may be further extended.

You will also commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you dispose or give custody or possession of a dog to a person knowing that person to be disqualified from ownership under section 25 of the Dog Control Act 1996.

Full details of the effect of disqualification are provided in the Dog Control Act 1996.

## Right of objection to disqualification

### *Section 26, Dog Control Act 1996*

You may object to the disqualification by lodging a written objection with the Whangarei District Council setting out the grounds on which you object. You are entitled to be heard in support of your objection and will be notified of the time and place when your objection will be heard. No objection can be lodged within 12 months of the hearing of any previous objection to the disqualification. If an objection is lodged within 14 days after the date of this notice, the requirement to dispose of every dog owned by you will be suspended until the Whangarei District Council has determined the objection.

There is a further right of appeal to a District Court if you are dissatisfied with the decision of the Whangarei District Council on your objection.

Schedule form 3: substituted, on 1 November 2004, by regulation 3 of the Dog Control (Prescribed Forms) Amendment Regulations 2004 (SR 2004/354).



26<sup>th</sup> August 2024

Quintonio George Tyrek Rogers

Dear Quintonio,

**Acknowledgment of objection to disqualification from dog ownership**

The purpose of this email is to acknowledge that Council has received notification of your objection to your dog owner disqualification status by way of an email to Council on 26<sup>th</sup> August 2024, and the subsequent request that was raised AC2422798.

As such the requirement for you to rehome your dog is now on hold until such a time as a hearing has been scheduled and decision has been made by the Exemptions and Objections Committee of Council to either uphold or revoke your status as disqualified from dog ownership.

If your dog/s currently have a menacing or dangerous classification applied to them the conditions and requirements of those classifications remain in place.

I will advise you of the time and date and location of the hearing before the Exemptions and Objections Committee by way of another letter when a date is available.

If you have any questions, please do not hesitate to contact Lesley House, Bylaws Enforcement Co-ordinator – [lesley.house@wdc.govt.nz](mailto:lesley.house@wdc.govt.nz).

Yours faithfully



**Lesley House**

**Bylaws Enforcement Coordinator** | Health & Bylaws Department

**Whangarei District Council** | Te Iwitahi, 9 Rust Avenue | Private Bag 9023, Te Mai, Whangarei 0143

P 09 430 4200 | DDI 09 470 3133 | Mobile 021 243 4116 [www.wdc.govt.nz](http://www.wdc.govt.nz)



# Whangarei District Council

## Request

Request Number	AC2419746	Category	AC
Date Received	24-Apr-2024	Sub-Category	DCRU
Source	CSR	Description	Animals
Priority	SAFETY	Created By	LORRAINE
Responsible	WDC.RQ.ANI	Responsible Person	BMKMOORE
Resource Pool			

Stage	CLOSED	Resolution Details (if closed)	Thank you for your request for service. We have processed your request and the status is now closed.
		Date Resolved	22-Jun-2024

Property Number	[REDACTED]		
Property Address	[REDACTED]		
Caller Name	[REDACTED]	Preferred Telephone Number	[REDACTED]
Caller Address	[REDACTED]	Preferred Email Address	

### Request Details

Caller lives at [REDACTED] Church Street, Onerahi and phoned regarding dogs which live at a KO property at [REDACTED] Raurimu Avenue. There are two which break thru the hedge and come onto her property, she was stalked when hanging out the washing. and cannot enjoy her garden. They go through [REDACTED] Church Street and onto Handforth Street. and have terrified the children at [REDACTED] Handforth Street and attacked their father. KO paid for a fence between [REDACTED] Raurimu Ave and [REDACTED] Church Street because of an elderly woman who lives at the property.

### Important Dates

Date Created	24-Apr-2024
Date Accepted	24-Apr-2024
Initial Inspection Date	24-Apr-2024
Date Scheduled	24-Jun-2024
Date Service Restored	01-Jan-1900

### Comments

**Memo Type:** Inspection Details  
**Date Created:** 24/04/2024 12:00:00 AM  
**Notes:** Dispatched to Teams  
**Further Notes:**  
**Created By:** JDAVIES

**Memo Type:** Responsible Person  
**Date Created:** 24/04/2024 12:00:00 AM  
**Notes:** Responsible person BMKMOORE has been assigned by Julia Davies (notification email sent).  
**Further Notes:**  
**Created By:** JDAVIES

**Memo Type:** Animal Information  
**Date Created:** 24/04/2024 12:00:00 AM  
**Notes:** Offending dog - Onix  
**Further Notes:**  
**Created By:** BMKMOORE

**Memo Type:** Inspection Details  
**Date Created:** 24/04/2024 12:00:00 AM  
**Notes:** Officer 229 notes  
**Further Notes:** 24/4/2409:10 - Phone conversation with [REDACTED] Organised to meet her at her property and discuss the complaint. She will also show me where the dogs live and how they are getting into her property. 10:00 - Arrived at [REDACTED] Church Street and met Susan. She walked me to the back of her property and as we were about 3 metres from the fence/hedge seperating her property and [REDACTED] Raurimu Avenue 'Onix' has

## Appendix C

come through on to the property and tried to attack [REDACTED] as she was in front of me at the time. I yelled and ran at the dog with my bite stick drawn which caused it to retreat back to [REDACTED] Raurimu Ave. I have called the police immediately and organised to attend the property with them. [REDACTED] states her neighbour Bob of [REDACTED] Handforth Street told her that he was attacked by a dog from the address. 11:00 - Police constable Adam GROVES arrived and we went on to [REDACTED] Raurimu Ave. I spoke to Quintonio's partner [REDACTED] explained why I was there and she knew that Onix had gotten out. I told her that Quintonio will be issued an infringement for the incident. She will be tying Onix up in the future and is in discussion with KO with getting a better fence put up. I told her that it is lucky Onix hasn't attacked the complainant as it was very close and that if she did, she would be getting impounded. I also mentioned the attack [REDACTED] mentioned but advised her that it is hearsay and we have no evidence. 11:30 - Called [REDACTED] and updated her. She supplied [REDACTED]'s phone number [REDACTED]. She will let us know if there is any further issues with the dogs coming on to her property. I told her that the dog owner would be infringed and recommended to the council for disqualification. Called [REDACTED] but no answer, text message left. 12:30 - Issued D515237. This brings Quintonio to three infringements within a 24 month period. Follow up for disqualification in 58 days.

**Created By:** BMKMOORE

**Memo Type:** Infringement Number

**Date Created:** 24/04/2024 12:00:00 AM

**Notes:**

**Further Notes:**

**Created By:** ALLISONGH

**Memo Type:** Request Scheduled

**Date Created:** 24/05/2024 12:00:00 AM

**Notes:** Still open.

**Further Notes:**

**Created By:** JDAVIES

**Memo Type:** Internal email (sent from Tasks)

**Date Created:** 24/05/2024 12:00:00 AM

**Notes:** Subject: For your information

**Further Notes:** Email Body: Request is over due - Can this be closed?

**Created By:** CHRISTINEC

**Memo Type:** Request Closure Notes

**Date Created:** 22/06/2024 12:00:00 AM

**Notes:** Request closed with Resolution Code: SERV

**Further Notes:** Closure Notes for Customer: Thank you for your request for service. We have processed your request and the status is now closed. Internal Notes: FCC issued Work Completed By: SFOSTER

**Created By:** SFOSTER

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## DOG INFRINGEMENT NOTICE

Issued under authority of section 66  
of the dog control act 1996

Private Bag 9023, Whangarei 0143

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

Notice No.:

D515237

Name of dog owner:	Quintonio <small>(forenames)</small>	Rogers <small>(surname)</small>
Street:	Raurimu Avenue	
Suburb:	Onerahi	
Locality:	Whangarei	
Date of Birth:	[REDACTED]	

**ALLEGED INFRINGEMENT OFFENCE DETAILS:**

Date:	24/04/2024	Time:	10:15	Day:	M T <b>W</b> TH F S SU
Street:	Church Street				
Suburb:	Onerahi				
Locality:	Whangarei				

**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: 00550 - "Onix"

Officer Number: 229

**INFRINGEMENT FEE PAYABLE:**

Please present this notice when making payment: \$ 200

**PAYMENT OF INFRINGEMENT FEE:** Payable within 28 days after 24/04/2024

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.

Note: All queries and all correspondence regarding this infringement must be directed to the Whangarei District Council, Private Bag 9023, Whangarei 0143 or email: [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz), phone (09) 430 4200





# Whangarei District Council Request



Request Number	AC238142	Category	AC
Date Received	20-Feb-2023	Sub-Category	DCI
Source	CONTRACTOR	Description	Animals
Priority	LOW	Created By	SFOSTER
Responsible	WDC.RQ.ANI	Responsible Person	221
Resource Pool			

Stage	CLOSED	Resolution Details (if closed)	Work Completed By: SFOSTER Notes: The requested service was performed - failure to comply with menacing classification letter sent 21-Feb-2023
		Date Resolved	21-Feb-2023

Property Number			
Property Address			
Caller Name	Armourguard Animal Management	Preferred Telephone Number	
Caller Address		Preferred Email Address	

**Request Details**

PW3 - failure to comply with menacing classification

**Important Dates**

Date Created	21-Feb-2023
Date Accepted	21-Feb-2023
Initial Inspection Date	20-Feb-2023
Date Scheduled	01-Jan-1900
Date Service Restored	01-Jan-1900

**Comments**

**Memo Type:** Animal Information  
**Date Created:** 21/02/2023 12:00:00 AM  
**Notes:** 'Raider' non regd.  
**Further Notes:**  
**Created By:** SFOSTER

**Memo Type:** Animal Information  
**Date Created:** 21/02/2023 12:00:00 AM  
**Notes:** 'Lucious' failure to comply with menacing classification, dog now regd.  
**Further Notes:**  
**Created By:** SFOSTER

**Memo Type:** Inspection Details  
**Date Created:** 21/02/2023 12:00:00 AM  
**Notes:** 20-Feb-2023 11:10 Christine/95. Visited address and sighted 'Raider' on front lawn unsecured with the front gate open. 'Lucious' could be heard barking inside house. I believe puppies could also be heard inside dwelling. Spoke with Quintonio who advised  
**Further Notes:** both dogs still remain at address and he has yet to register or desex either dog. Advised this needed to be done to avoid further fines. HNA request made to ensure property manager encourages occupant to comply. Follow up required. 02/03/23 Dogs remain unregd. - impoundment required. see attachments for further noes.  
**Created By:** SFOSTER

**Memo Type:** Infringement Number  
**Date Created:** 18/04/2023 12:00:00 AM  
**Notes:** Infringement issued 'Lucious' ME 13/04/23 221  
**Further Notes:**  
**Created By:** SFOSTER

## Appendix D

**Memo Type:** Infringement Number

**Date Created:** 18/04/2023 12:00:00 AM

**Notes:** Infringement issued 'Raider' non regd. 13/04/23 221

**Further Notes:**

**Created By:** SFOSTER

---

## Appendix D<sup>7</sup>

Notes:

Lucious could be heard barking inside house. I believe puppies could also be heard inside dwelling. I spoke with Quantonio who advised both dogs still remain at the address and he has yet to register or desex either dog. Advised this needed to be done to avoid further fines.

HNZ request made to ensure property manager encouraged occupant to comply.

Warning letter for non-desexed classified dog issued by mail.

Follow up required.

ENTERED

2/3/23 Dogs remain unregistered. Impoundment required

8.3.23 1015

Visited the address and spoke about registration issues and the fact Lucious is menacing. We spoke about Ruakaka Dog Rescue and how we can get the dogs registered.

Quantonio's partner says Lucious will be registered before 17 March 2023.

Raider to be registered by 24 March 2023

17.3.23 0900

Visited address as Lucious is not registered spoke about Ruakaka Dog Rescue Desexing and filed application. Awaiting CSC # to complete.

24.3.23 1017

Visited address as neither dog is registered.

No one home and no sign of dogs.

Calling card left. Further visits req.

06.4.23

Lucious 80255 registered.

# Appendix D

## Infringement

Infringement No.*	<input type="text" value="D511392"/>	Primary Offender Name:	Quintonio George Tyrek Rogers
Status	<b>Prosecuted</b>	Primary Offender Address:	Raurimu Avenue Onerahi Whangarei 0110
		Balance:	300.00

### General

Animal ID:	<input type="text" value="80255"/>	Lucious - Retriever Labrador - Brown	
Date:*	<input type="text" value="13/04/2023"/>	Infringement ID:	<input type="text" value="465790"/>
Time:*	<input type="text" value="1:04:00 PM"/>	Date Paid:	<input type="text"/>
Officer Code:	<input type="text" value="221"/>	Officer 221	
Balance:	<input type="text" value="300.00"/>	Book ID:	<input type="text"/>
Due Date:	<input type="text" value="16/06/2023"/>	Import ID:	<input type="text"/>
Status:	<input type="text" value="Prosecuted"/>	Prosecuted	
Infringement Type:	<input type="text" value="DOG"/>	Dog Infringements	

Offence Code	Description	Fine Amount
▶ <a href="#">ME</a>	Failure to comply with effects of classification of dog as menacing dog	300.00

### Transactions

Drag a column header here to group by that column						
Transaction ID	Transaction Date	Transaction Type	Status	Combined Receipt Number	Amount	
▶ <a href="#">78931194</a>	24/07/2023	GST	Current		-3.91	
<a href="#">78930409</a>	24/07/2023	INFCOURTCH	Current		-26.09	
<a href="#">77393401</a>	19/06/2023	INFCOSTS	Current		30.00	
<a href="#">76511647</a>	18/04/2023	INFEE	Current		300.00	
Count: 4					300.00	

## Infringement

Infringement No.*	<input type="text" value="D511393"/>	Primary Offender Name:	Brooklyn Chevanny Shelford
Status	<b>Prosecuted</b>	Primary Offender Address:	RAURIMU AVENUE ONERAHI WHANGAREI 0110
		Balance:	300.00

### General

Animal ID:	<input type="text" value="79916"/>	Raider - Mastiff Bull - Brindle	
Date.*	<input type="text" value="13/04/2023"/>	Infringement ID:	<input type="text" value="465791"/>
Time.*	<input type="text" value="1:11:00 PM"/>	Date Paid:	<input type="text"/>
Officer Code:	<input type="text" value="221"/>	Officer 221	
Balance:	<input type="text" value="300.00"/>	Book ID:	<input type="text"/>
Due Date:	<input type="text" value="16/06/2023"/>	Import ID:	<input type="text"/>
Status:	<b>Prosecuted</b>	Prosecuted	
Infringement Type:	<b>DOG</b>	Dog Infringements	

Offence Code	Description	Fine Amount	N
▶ <a href="#">UN</a>	Failure to register dog	300.00	

### Transactions

Drag a column header here to group by that column						
	Transaction ID	Transaction Date ▾	Transaction Type	Status	Combined Receipt Number	Amount
▶	<a href="#">78931193</a>	24/07/2023	GST	Current		-3.91
	<a href="#">78930410</a>	24/07/2023	INFCOURTCH	Current		-26.09
	<a href="#">77393402</a>	19/06/2023	INFCOSTS	Current		30.00
	<a href="#">76511648</a>	18/04/2023	INFEE	Current		300.00
Count: 4						300.00

### Attributes



In reply please quote

Or ask for Christine - Officer #95

20 February 2023

Forum North, Private Bag 9023  
Whangarei 0148, New Zealand  
P +64 9 430 4200  
E [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)  
[www.wdc.govt.nz](http://www.wdc.govt.nz)

Quintonio Rogers  
Raurimu Ave  
Onerahi  
Whangarei 0110



Dear Quintonio Rogers

**Desexing your Classified Dog**

Dog ID:	80255	Primary Breed:	Labrador
Microchip No:	990000006714311	Secondary Breed:	Cross
Name:	Lucious	Primary Colour	Brown
Sex:	Female	Secondary Colour	
Age:	1 Years 11 Months old		
Address where dog is usually kept: Raurimu Ave, Onerahi, Whangarei			

This is to notify you\* that the above-mentioned dog was classified under section 33A as menacing on 6<sup>th</sup> May 2022 by Whangarei Animal Management, and therefore required to be desexed by 6<sup>th</sup> June 2022.

If your dog has already been desexed but it is not recorded on your current registration records, please email the certificate to [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz) so the details can be added accordingly.

This classification came into effect because:

A Council considers your dog may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of any observed or reported behaviour of the dog, as per the attached menacing classification document.

As per the Dog Control Act 1996, all owners of dogs in New Zealand that are classified as menacing under section 33E (1) must supply veterinarian proof confirming the dog has been neutered by the date stated above. If the dog is not in a fit condition to be neutered, a certificate issued by a veterinarian specifying these reasons is required.

**33EC Offence to fail to comply with section 33E(1) or 33EB**

(1) Every person who fails to comply with [section 33E\(1\)](#) or [33EB](#) commits an offence and is liable on conviction to a fine not exceeding \$3,000.

(2) If a person fails to comply with [section 33E\(1\)](#) or [33EB](#), a dog control officer or dog ranger may—

- (a) seize and remove the dog concerned from the person’s possession; and
- (b) retain custody of the dog until—

- (i) the dog control officer or dog ranger is satisfied that the person has demonstrated a willingness to comply with [section 33E\(1\)](#) or [33EB](#) (as the case may be); or
- (ii) the dog is disposed of under [section 71A](#).

You are also reminded that all dogs that have been classified as menacing must be muzzled when in a public place.

If you would like further information, please contact Christine, Officer #95 at the Whangarei Animal Management Team.

Yours faithfully



Reiner Mussle  
**Manager - Health and Bylaws**

# Unregistered Dog Investigation

<b>CRM:</b>		
<b>Officer:</b>	173	<b>Date/Time:</b> 31/01/23 @ 1633
<b>Owner Name:</b>	#575874 Brooklyn Sheiford	
	Ph: [REDACTED]	
<b>Address:</b>	Raurimu Ave, Onerahi 0110	
<b>Dogs Name:</b>	RAIDER	<b>Dogs ID:</b> 79916
<b>Confirmation of Ownership:</b>	Yes / No \$153 outstanding	
<b>Further details if dead, rehomed or missing:</b>	Dog actually owned by Quintonio Rogers - as infringement written in his name for this dog. Brooklyn would like <sup>dog</sup> to be put into her brothers name as she wasn't aware that its still in her	
<b>Acknowledgement of unregistered dog:</b>	Yes / No name. Quintonio Rogers 79916 + 80255 Ph: [REDACTED] \$153 owed on each <span style="background-color: blue; color: white;">\$306</span>	
<b>Reason for non-payment:</b>	Quintonio needs to do change of ownership - contact Brooklyn to let her know.	
<b>Advised of pending infringement to be issued:</b>	Yes / No	31/01/23 Mail change of ownership paper to Quintonio Rogers. <b>ENTERED</b> ✓ 600 Form posted memo 23-03-23 Date:
<b>Details of infringements issued</b>		

TechOne Updated by:



# Whangarei District Council Request



Request Number	AC224648	Category	AC
Date Received	15-Sep-2022	Sub-Category	DCI
Source	CONTRACTOR	Description	Animals
Priority	LOW	Created By	ALLISONGH
Responsible	WDC.RQ.ANI	Responsible Person	
Resource Pool			

Stage	CLOSED	Resolution Details (if closed)	Work Completed By: ALLISONGH Notes: The requested service was performed
		Date Resolved	15-Sep-2022

Property Number	[REDACTED]
Property Address	[REDACTED] Raurimu Avenue Whangarei 0110

Caller Name	Animal Management	Preferred Telephone Number	
Caller Address		Preferred Email Address	christine.crawford@armourguard.co.nz

**Request Details**  
PW5 Officer 217

<b>Important Dates</b>	
Date Created	20-Sep-2022
Date Accepted	15-Sep-2022
Initial Inspection Date	15-Sep-2022
Date Scheduled	01-Jan-1900
Date Service Restored	01-Jan-1900

**Comments**

**Memo Type:** Inspection Details  
**Date Created:** 20/09/2022 12:00:00 AM  
**Notes:** Infringements issued  
**Further Notes:**  
**Created By:** ALLISONGH

**Memo Type:** Animal Information  
**Date Created:** 20/09/2022 12:00:00 AM  
**Notes:** Also 79916 Raider  
**Further Notes:**  
**Created By:** ALLISONGH

**Memo Type:** Infringement Number  
**Date Created:** 20/09/2022 12:00:00 AM  
**Notes:** Infringement Issued, also D510150  
**Further Notes:**  
**Created By:** ALLISONGH

## Infringement

Infringement No.\*

Status **Prosecuted**

Primary Offender Name: Quintonio George Tyrek Rogers  
 Primary Offender Address: Raurimu Avenue Onerahi Whangarei 0110  
 Balance: 300.00

### General

Animal ID:

Date:\*

Time:\*

Officer Code:

Balance:

Due Date:

Status:

Infringement Type:

Lucious - Retriever Labrador - Brown

Infringement ID:

Date Paid:

Officer 217

Book ID:

Import ID:

Prosecuted

Dog Infringements

Offence Code	Description	Fine Amount	No
▶ <a href="#">UN</a>	Failure to register dog	300.00	

### Transactions

Drag a column header here to group by that column

Transaction ID	Transaction Date ▾	Transaction Type	Status	Combined Receipt Number	Amount
▶ <a href="#">75328303</a>	21/12/2022	GST	Current		-3.91
<a href="#">75326134</a>	21/12/2022	INFCOURTCH	Current		-26.09
<a href="#">75013296</a>	21/11/2022	INFCOSTS	Current		30.00
<a href="#">74265786</a>	20/09/2022	INFEE	Current		300.00

Count: 4 300.00

### Attributes

## Infringement

Infringement No.:	<input type="text" value="D510150"/>	Primary Offender Name:	Quintonio George Tyrek Rogers
Status	<b>Prosecuted</b>	Primary Offender Address:	Raurimu Avenue Onerahi Whangarei 0110
		Balance:	300.00

### General

Animal ID:	<input type="text" value="79916"/>	Raider - Mastiff Bull - Brindle
Date:	<input type="text" value="15/09/2022"/>	Infringement ID: <input type="text" value="446660"/>
Time:	<input type="text" value="3:22:00 PM"/>	Date Paid: <input type="text"/>
Officer Code:	<input type="text" value="217"/>	Officer 217
Balance:	<input type="text" value="300.00"/>	Book ID: <input type="text"/>
Due Date:	<input type="text" value="18/11/2022"/>	Import ID: <input type="text"/>
Status:	<input type="text" value="Prosecuted"/>	Prosecuted
Infringement Type:	<input type="text" value="DOG"/>	Dog Infringements

Offence Code	Description	Fine Amount
▶ <a href="#">UN</a>	Failure to register dog	300.00

### Transactions

Drag a column header here to group by that column						
Transaction ID	Transaction Date	Transaction Type	Status	Combined Receipt Number	Amount	
▶ <a href="#">75328302</a>	21/12/2022	GST	Current		-3.91	
<a href="#">75326135</a>	21/12/2022	INFCOURTCH	Current		-26.09	
<a href="#">75013297</a>	21/11/2022	INFCOSTS	Current		30.00	
<a href="#">74265787</a>	20/09/2022	INFEE	Current		300.00	
Count: 4					300.00	

### Attributes



Date Received	Request No.	Details
7-Aug-24	AC2422458	Wandering dog - Brindle large dog possibly called 'Joseph' is roaming on Raurimu Avenue now as reported by ANON caller. Dog comes from reported address. Received 07/08/24.
9-May-24	AC2420129	Dog chained up in yard barking and crying all day. Caller lives at # Church Street, Onerahi and phoned regarding dogs which live at a KO property at # Raurimu Avenue. There are two which break thru the hedge and come onto her property, she was stalked when hanging out the washing. and cannot enjoy her garden. They go through # Church Street and onto Handforth Street. and have terrified the children at # Handforth Street and attacked their father. KO paid for a fence between # Raurimu Ave and Church Street because of an elderly woman who lives at the property.
24-Apr-24	AC2419746	
7-Nov-23	AC2313500	Caller's dogs were taken into the pound yesterday. She has visited the pound today and done everything required, and understood Armourguard would do a property check today so that the dogs could return to their home. She has now been advised that one of the staff has gone home sick, and the other one is unable to come out and now the dogs will have to stay at the pound for another night. <i>(Note dogs now all registered to Mr Rogers)</i> Caller went to take her dog for ride in her car, Pitbull Female came running onto her property and attacked her dog. Owner (Male) came out and coached dog back home. Caller lives at # Raurimu Avenue.
24-Oct-23	AC2312880	Received 24/10/23 Wandering - Caller will try get some photos. Puppy was out on the road, ran out in front of car. Puppy is brown speckled. Dogs are out all the time, caller cannot walk past the property with her dog.
28-Aug-23	AC2311729	Received 28/08/23 Small puppy has turned up on her doorstep. Dog comes from #. Comp. lives at # Raurimu Ave. Long conversation about the issues she is having with property. Please call her before taking any action.
18-Aug-23	AC2311455	Received 18/08/23
15-Jun-23	AC2310335	Dog attack - female dog from next door has attacked comps. dog 'Caisey'. No injuries caused but comp. is afraid to leave her home. Received 15/06/23.
26-Jun-23	AC223762	Barking dogs - for 3 nights no owner seen for 2 days. Dogs chained at front. Received 26/06/22.
4-Jun-23	AC223416	Barking dog - female dog at address is barking at the 2 pus. 2 calls from comp. Received 04/06/22.
30-May-22	AC223415	Collection - brindle pitbull stuck on chain at comps. house. Comp. has 2 cats so doesn't want to free the dog. received 30/05/22.
7-May-22	AC222817	Dog rushing - caller unsure about house # might be x, x or x. Incident happened yesterday about 12:15hrs, large tan Mastiff being aggressive running out of driveway wanted to attack sons dogs and xxx scared it will bite kids. Received 07/05/22.
6-May-22	AC222816	Dog attack. Dog vs person - comp. has bit to left leg. Received 06/05/22.
3-May-22	AC222815	Dog attack. Dog vs person. Received 03/05/22.
30-Mar-22	AC221816	Dog is barking continually. Larger dog that is up against the neighbour fence. It is barking all day and night
9-Mar-22	AC221897	PW2 - and barking complaint from xxxxx. Also concerns for welfare of dog to be reported to SPCA if officer deems necessary. Previous comp. xxxxx 15:27hrs 09/03/22.
8-Feb-22	AC221455	Barking dog -howling/crying. Conditions. Received 08/02/22.
27-Jan-22	AC221288	Wandering dog - huge brown dog with heavy chain on dragging. In middle of road. Looks aggressive. Received 25/01/22.
31-Dec-21	AC210903	Dog barking/whining all day and all night. Dog has no food or water and is also tied to tree at rear of property.



In reply, please quote  
Or ask for

Hearing of your objection  
Lesley House

05/09/2024

Quintonio George Tyrek Rogers



Te Iwitahi, 9 Rust Avenue, Whangārei  
Private Bag 9023, Te Mai,  
Whangārei 0143, New Zealand  
P +64 9 430 4200  
E [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)  
[www.wdc.govt.nz/ContactUs](http://www.wdc.govt.nz/ContactUs)

Dear Quintonio,

### ***Hearing of your objection to dog owner disqualification***

The purpose of this letter is to acknowledge that Council has received your objection to your dog owner disqualification status by email on 26 August 2024 served on you 22 August 2024. A hearing date is now scheduled as follows:

- Your objection will be heard by the Exemptions and Objections committee at **9.30am Tuesday 24 September 2024**.
- The hearing will be held in the Council Chambers, in Te Iwitahi (Civic Centre), in Rust Avenue, Whangarei.

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 any submission you wish to make 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**



**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. {Section7(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.*