



Rangitikei District Council

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Rangitikei
UNSPOILT...

Hearing

Order Paper

Tuesday, 25 August 2015,
10.00 am

Council Chamber, Rangitikei District Council
46 High Street, Marton

Website: www.rangitikei.govt.nz

Email: info@rangitikei.govt.nz

Chair

His Worship the Mayor, Andy Watson

Panel Members

Councillors Tim Harris, Nigel Belsham, Councillor Rebecca McNeil
and Councillor Ruth Rainey

Please Note: Items in this agenda may be subject to amendments or withdrawal at the meeting. It is recommended therefore that items not be reported upon until after adoption by the Council. Reporters who do not attend the meeting are requested to seek confirmation of the agenda material or proceedings of the meeting from the Chief Executive prior to any media reports being filed

Rangitikei District Council



Rangitikei
Kaitiaki...
Kaitiaki...

Hearing of objection to classification of dogs as menacing

Order Paper – Tuesday 25 August 2015 – 10:00 a.m.

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At its meeting of 28 October 2010 Council resolved that ‘The quorum at any meeting of a standing committee or sub-committee of the Council (including Te Roopu Ahi Kaa, the Community Committees, the Reserve Management Committees and the Rural Water Supply Management Sub-committees) is that required for a meeting of the local authority in SO 2.4.3 and 3.4.3.’ These Standing Orders were confirmed for the 2013-16 triennium by Council on 31 October 2013.

The quorum for the meeting of this Hearing Panel is 3.

1 Council Prayer**2 Welcome and introduction from the Mayor**

(In the Chair)

3 Apologies/Leave of Absence**4 Notice of classification of dogs “Badger” and “Molly” as menacing**

This notice, issued on 13 July 2015, is attached.

5 Further information

The Chair will confirm with Ms McArthur and Mr Blythe whether there is any additional documentation to be tabled at the hearing. This may include signed witness statements for those statements included unsigned in this Order Paper.

6 Statement from Objector

The Chair will invite Ms McArthur to speak to the Panel, highlighting points in her written statement (but not reading it to the Panel).

Her written statement is attached. It has the following numbered attachments:

(The alpha-numeric references used in the statement are at the top right of each page; consecutive page numbering for the Order Paper is at the bottom centre of each page)

A 1	Reference from D H Angrove, Southern Rangitikei Veterinary Services Limited	Page 18
B 1	Reference from Betty Parker, Secretary and Life Member of the Manawatu Kennel Association	Page 19
C 1	Reference from Rosemary Weaver, a New Zealand Kennel Club championship judge	Page 20
D 1	Reference from Damian Nunns, Animal Control officer at Wellington City Council	Page 21
E 1	Reference from Kendal Beavis, Veterinary Assistant, Levin	Page 22
F 1-2	Statement from Dan Emeny (Allison McArthur’s partner)	Page 23
G 1-3	Transcript of the phone conversation between Allison McArthur and Matt Blythe, 30 July 2015	Page 25

H 1	Padlocked kennels – pool area of the property	Page28
I 1	Nailed up gate – close-up view	Page 29
J 1	Self-closing mechanism on gate – close-up view	Page 30
K 1	Padlocked kennels – close-up view	Page 31
L 1	Letter from Matt Blythe to Allison McArthur, 5 August 2015	Page 32
M 1-2	Letter from Allison McArthur to Matt Blythe, 31 July 2015	Page 33
N 1-2	Objection to classification – letter from Allison McArthur to the Rangitikei District Council, 14 July 2015	Page 35

Ms McArthur asks the Hearing Panel to uphold her objection to the classification of the two dogs as menacing.

7 Questions from the Panel to the Objector

8 Report from Council's Senior Animal Control officer

The Chair will invite Mr Blythe to speak to the Panel, highlighting points in his written report (but not reading it to the Panel).

The report is attached. It contains eight appendices, as follows¹

(a) Regarding the incident on 11 July 2015

Appendix 1	Witness statement – Russell Nelson	Page 45
Appendix 2	Witness statement – Lesley Butler*	Page 47
Appendix 3	Witness statement – Lou Fairest-Harper (1 st part)*	Page 50

(b) Regarding the incident on 18 March 2015

Appendix 4	Witness statement – Vicki Rine*	Page 55
Appendix 5	Witness statement – Matt Roberts	Page 59
Appendix 3	Witness statement – Lou Fairest-Harper (2 nd part)*	Page 52

(c) Other

Appendix 6	Dog Control and Owner Responsibility Policy	Pages 62
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¹ Those witnesses who have indicated they intend to be present at the hearing, to speak with the Panel if required, are asterisked.

Appendix 7	Letter from Matt Blythe to Allison McArthur, 5 August 2015: <i>this is also included as attachment L in the Objector's statement.</i>	Page 84
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Mr Blythe recommends that the Hearing Panel uphold the classification of both dogs as menacing.

9 Further questions from the Panel to the Objector, to the Council's Senior Animal Control Officer and/or to the Council's Witnesses

The Panel may seek views from the Objector, the Senior Animal Control Officer or the Witnesses on any written statement provided or oral statement made at the hearing, but these parties are not permitted to cross-examine each other.

10 Deliberation by the Hearing Panel

The Panel may wish to deliberate in private.

Under section 33B(2) of the Dog Control Act 1996 the Panel may resolve to *either* uphold *or* rescind the classification, but must note its reasons for its decision, and these must be conveyed to the owner of the dogs. Alternatively, the Panel may, for any reason, resolve to adjourn the meeting until a specified date and time or to a date to be subsequently determined with the Members of the Panel, the Objector and the Council's Chief Executive.

11 Meeting closed