

Councillor Questions and Answers

Pūroro Hātepe | Regulatory Processes Committee meeting of 15 September 2021

The following questions were received from Councillors regarding items on the agenda of the Pūroro Hātepe | Regulatory Processes Committee meeting of 15 September 2021.

Item 2.1 Objection to classification under the Dog Control Act 1996

Will there be anyone to pull us up at the hearing if any councillor “oversteps the mark” in terms of the questions they ask?

At Council and committee meetings all questions are formally asked ‘through the chair’. This means that the chair could indicate that a question does not need to be answered if the chairperson thought that the asker was ‘overstepping the mark’.

On the one hand we have Public Health and witnesses. Will we know in advance who those witnesses are? Do we have Animal Control officers there too?

There will be no witnesses attending as the complainant has declined to attend. WCC’s Animal Services Team Leader and Animal Control Officer will be in attendance.

On the other hand we have Bryan Tresidder and witnesses. Will we know in advance who those witnesses are?

Both parties are entitled to bring the witnesses that they wish on the day. At this stage we are expecting WCC’s Public Health Manager and Approvals and Process Innovation Team Leader, plus the Animal Services Team Leader and Animal Control Officer will attend along with Bryan Tresidder.

Can we direct questions to any of the witnesses on both sides?

Yes. Councillors may ask questions of anyone speaking at the meeting.

Do we know if any of those who have supplied statements in support of (or not in support of) the “offending dog” will be at the hearing?

Both parties could bring additional people on the day to speak on their behalf. At this stage we do not have anyone who supplied a statement confirm they would attend the hearing (except for the Animal Control Officers).

Will there be a time limit on any of this?

The sections of the meeting will have no time limits, as per normal committee meeting procedure.

Is Breaker already microchipped?

Yes

Has he been neutered?

No not according to our records

Has George been neutered?

No not according to our records

If we're being asked to make a decision on whether to uphold or rescind Public Health's decision to classify Breaker as a menacing dog, are we permitted to see the dog in question?

This will cause some logistical issues as generally animals are not permitted in the building.

Pg. 11 • Is it a requirement, pending the committee's decision, that the "offending dog" wears a muzzle around its neck when out in public? If so, when did that requirement come into force?

The dog would have been required to wear a muzzle when the menacing classification was placed on it which was 30 June 2021. This is a requirement of s32(1)(b) of the Dog Control Act.

Pg. 12 • Mr Tresidder states that he has often walked Breaker off-lead in the past six years without incident. Have there been any other substantiated occasions when Breaker has posed a threat to any member of the public?

Yes – please refer to the supporting information: Supplementary Information 11.7.2021 (significant similar event). Mr Evans states this is not the first time he has witnessed the dog off its lead.

Pgs. 19 & 20 • It's not always clear where Animal Control Service's work finishes and Public Health's begins. Is the officer's report on pages 19 & 20 an Animal Control officer?

Yes. This is the report of a WCC Animal Control Officer.

Can you briefly define the role of these separate entities and how they tie in together?

Public Health is responsible for administering dog registrations. The animal control team carry out field work. Field services are provided by Hutt City Council under a contract to WCC.

Pg. 23 • Gary Evans states that “Bryan Tresidder had himself suffered an incident of some kind with his dog and made his way home bleeding profusely. The blood in the street occasioned subsequent Police attention.”

What do we know about this incident?

The blood in the street resulted from the attack on 20 May. It was after this incident the classification was placed on the dog Breaker, and is the subject of this hearing. Nothing more is known, only what the complainant reported.

Pg. 34 • The \$262.75 registration is made up of what exactly? That seems a high registration fee – does it include penalty fees?

This figure is made up of the registration fee and the late payment penalty fee.

Pg. 45 • When the Conclusion talks about “the number of times complaints have been received and infringements issued in relation to significantly similar offences”, how many times has that happened for:

– the dog being off-lead?

A written warning has been issued for the dog being off its lead.

– the dog showing aggressive tendencies or worse? (the report states “Animal Services are familiar with the dog being aggressive”)

See supplementary information which sets out details of another person being attacked (whilst on a skateboard).

This incident was not reported until investigations had started in relation to this matter.

Pgs. 67 & 68 • On the Attack Rating Report assessment chart, what is the risk level below which Breaker’s owner would have been issued nothing more than a warning notice? At what level does it progress to an infringement and/or menacing class?

Please refer to Appendix 11(2) which sets out the threshold for progressing the penalty from an infringement to a warning notice/classification.