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**MINUTES**  
of the  
**ANIMAL CONTROL SUBCOMMITTEE MEETING**  
held  
**11.00 am, Wednesday, 19 June 2019**  
at  
**Tasman Council Chamber, 189 Queen Street, Richmond**

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**Present:** Councillors S G Bryant (Chair) and P Sangster

**In Attendance:** Regulatory Services Manager (A Humphries), Administration Officer – Animal Control (R Connochie) and Senior Executive Assistant (R L Scherer)

**Part Attendance:**

**1 OPENING, WELCOME**

The Chairman opened the meeting at 11.10 am and welcomed Carrie Officer who was accompanied by her dog, Phoenix.

The Chairman invited Ms Officer to speak to the subcommittee.

Ms Officer spoke about cruelty to animals and suggested that the children on the day of the incident may have annoyed Phoenix who defended himself.

She spoke about the penalties that may be imposed. She noted that she had released Phoenix at similar public events and he had not hurt any children.

Ms Officer said that she is against Phoenix having to be muzzled as she believes this is unfair.

Ms Officer spoke about the events on the day when Phoenix bit the little girl. She noted that she had not been able to see any photos of the girl who was bitten. She said that if Phoenix was a dangerous dog, she would not have left him with children. She believes that one of the children hurt Phoenix and he retaliated.

Regulatory Manager, Adrian Humphries showed the photo of the injured girl to Ms Officer.

In response to a question, Ms Officer said there was very little blood on the girl who was bitten. There was only a small visible scratch.

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Ms Officer said that she takes her dogs everywhere with her including to music events which she believes they enjoy.

The Chairman invited Mr Humphries to explain the Council's position to Ms Officer.

Mr Humphries noted that is the Council's role is to look at the evidence and decide on the right course of action in dealing with a dog complaint. He said that while he agrees that one of the children may have harmed the dog, the fact is that the child was bitten, her lip was cut and there were two more scratches on her face. He noted that Council staff also need to look at any psychological harm that may have been caused to the child who was bitten.

Mr Humphries explained the Council's requirements under section 57 of the Dog Control Act. He agreed that while the child did not receive major injuries, it is clear that Phoenix did bite the girl and he did cause her harm. Under the Act dog biting is termed as an aggressive act and the Council has no choice but to classify the dog Phoenix as dangerous. He explained that there is no option for the Council to do nothing.

Mr Humphries described the difference between the menacing and dangerous dog categories under the Dog Control Act.

Mr Humphries explained to Ms Officer what is required in terms of Phoenix not being able to be in contact with visitors, for example meter readers. He noted that the dog also has to wear a muzzle when he is any public place including at the beach. He advised Ms Officer that muzzles are designed to allow a dog to drink water while they are muzzled.

Ms Officer provided a written statement from Sylvie du Feu.

The Chairman thanked Ms Officer for her attendance and informed her that she would be advised of the outcome of this hearing in due course.

*Ms Officer left the meeting at 11.55 am.*

## **2 CONFIDENTIAL SESSION**

**Moved Cr Bryant/Cr Sangster**

**ACS19-06-01**

**That the public be excluded from the following part(s) of the 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 follows.**

**This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:**

### **2.1 Dangerous Dog Classification**

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	7 (2) (f) (ii)  The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment.	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

**CARRIED**

### **3 REPORTS**

#### **3.1 Dangerous Dog Classification Hearing**

The report was taken as read.

**Moved Cr Bryant/Cr Sangster**

**That the Animal Control Subcommittee:**

- 1. receives the Dangerous Dog Classification Hearing report ACS19-06-01; and**
- 2. Upholds the dangerous classification for the dog Phoenix owned by Carrie Officer.**

**CARRIED**

The meeting concluded at 12.07 pm

Date Confirmed:

Chair: